

PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
AUGUST 9, 2005

6:30 PM

- STUDY SESSION

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to consider employment of a public officer, employee, staff member or individual agent and pending litigation under ORS 192.660(2)(a)(h). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING

- 1.1 Call to Order - City Council & Local Contract Review Board
- 1.2 Roll Call
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports
- 1.5 Call to Council and Staff for Non-Agenda Items

2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)

- Receive Testimony – Sign-In Sheet for Citizen Communication
- Follow-up to Previous Citizen Communication

3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve Council Minutes for July 12, and 19, 2005
- 3.2 Receive and File:
 - a. Council Calendar
 - b. Council Meeting Tentative Agenda

3.3 Local Contract Review Board:

- a. Award Contract to Brix Paving for the Construction of the FY 2005-06 Pavement Major Maintenance Program (PMMP) – Phase 1
- b. Authorize Reimbursement to Venture Properties for Waterline Construction Through Summit Ridge Subdivision Development

- Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.

4. METRO COUNCILOR HOSTICKA TO PRESENT INFORMATION ON METRO'S OPEN SPACES, TREASURED PLACES CELEBRATION

- Staff Introduction: Community Development Department

5. SET OVER TO THE AUGUST 23, 2005, CITY COUNCIL MEETING THE CONSIDERATION OF THE FINAL ORDER REGARDING THE APPEAL OF CONDITIONAL USE PERMIT FOR THE TIGARD FIRST BAPTIST CHURCH EXPANSION

ITEM ON APPEAL: On April 25th, 2005 the Tigard Hearing's Officer held a public hearing to consider an application for conditional use approval to construct a 22,500 square foot expansion of the existing church and associated parking in three phases. As part of Phase 2, the applicant proposed to relocate the existing driveway on SW Gaarde Street. The Hearing Officer adopted findings approving the Conditional Use Permit and Sensitive Lands Reviews and denied the requested Adjustment to the access spacing standards. An appeal was filed on May 25, 2005 by the owner and applicant, on the basis that the Hearing's Officer misconstrued the applicable law. More specifically, the appellant's argue that the Hearing Officer's decision failed to balance the approval criteria.

LOCATION: 11075 SW Gaarde Street; WCTM 2S103DC, Tax Lot 1100.

ZONE: R-3.5: Low-Density Residential District.

REVIEW CRITERIA BEING APPEALED: Community Development Code Chapters 18.370 and 18.705.

- a. Summation by Community Development Staff
- b. Council Consideration: Motion to Set over Consideration of the Final Order Appeal of Conditional Use Permit for the Tigard First Baptist Church Expansion

6. INFORMATIONAL PUBLIC HEARING – FORMATION OF SANITARY SEWER REIMBURSEMENT DISTRICT NO. 35 (SW ASH AVENUE)
- a. Open Public Hearing
 - b. Summation by Engineering Staff
 - c. Public Testimony
 - d. Staff Recommendation
 - e. Council Discussion
 - f. Close Public Hearing
 - g. Council Consideration: Resolution No. 05-_____

7. PUBLIC HEARING (QUASI-JUDICIAL) TO CONSIDER ANNEXATION OF THE FOLLOWING FOUR PROPERTIES:

FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2004-00004
FILE TITLE:	MOUNTAIN VIEW ESTATES SUBDIVISION ANNEXATION
REQUEST:	The applicant is requesting to annex two (2) parcels of land containing 6.94 acres into the City of Tigard.
LOCATION:	12415 SW Beef Bend Road, WCTM 2S110CB, Tax Lot 500; and (No site address), WCTM 2S110CB, Tax Lot 100.
FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2005-00001
FILE TITLE:	ARLINGTON HEIGHTS 3 SUBDIVISION ANNEXATION
REQUEST:	A request to annex three (3) parcels of land containing 16.97 acres into the City of Tigard.
LOCATION:	On the north side of SW Beef Bend Road and the southern terminus of SW Summerview Drive. WCTM 2S109DA, Tax Lot 2100; and 2S110CB, Tax Lots 600 and 700.
FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2005-00002
FILE TITLE:	WILSON RIDGE SUBDIVISION ANNEXATION
REQUEST:	A request to annex two (2) parcels of land containing 2.68 acres into the City of Tigard.
LOCATION:	13350 and 13400 SW Bull Mountain Road; WCTM 2S109AC, Tax Lots 100 and 200.
FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2005-00003
FILE TITLE:	ALBERTA RIDER SCHOOL/SUMMIT RIDGE SUBDIVISION ANNEXATION
REQUEST:	Annexation of 56 parcels containing approximately 20.75 acres into the City of Tigard.
LOCATION:	<u>Alberta Rider School:</u> WCTM 2S109AC, Tax Lot 2100 and 2S109AD,

Tax Lot 1300; and Remaining Portions of Summit Ridge Subdivision:
WCTM 2S109DA, Tax Lots 8500, 8600, 8700, 8800, 9400, 9500,
9600, 9700, 9800, 9900, 10000, 10100, 10200, 10300, 11500,
11600, 11700, 11800, 11900, 12000, 12100, 12200, 12300,
12400, 12500, 12600, 12700, 12800, 12900, 13000, 13400 and
13500, and WCTM 2S109DB, Tax Lots 1000, 1900, 2100, 2200,
2300, 2400, 2500, 2600, 2700, 2800, 2900, 3000, 3100, 3200,
3300, 3400, 3500, 3600, 3700, 3800, 3900 and 4000.

ZONING OF ALL PARCELS: R-7: Medium-Density Residential District. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

APPLICABLE REVIEW CRITERIA: The approval standards for annexations are set out in Community Development Code Chapters 18.320 and 18.390, Comprehensive Plan Policies 2 and 10; ORS Chapter 222; and Metro Code Chapter 3.09.

- a. Mayor Dirksen: Open Public Hearing
- b. City Attorney: Rules of Procedure
- c. Declarations or Challenges
 - Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits?
 - Have all members familiarized themselves with the application?
 - Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council?
- d. Staff Report: Community Development Department
- e. Public Testimony
 - Applicants
 - 1. Mountain Estates Subdivision Annexation
 - 2. Arlington Heights 3 Subdivision Annexation
 - 3. Wilson Ridge Subdivision Annexation
 - 4. Alberta Rider School/Summit Ridge Annexation

Sign-in sheets have been provided for each annexation proposal.

At this time, the Mayor will call forward persons who wish to testify in the following order:

- Proponents (For Annexation Proposals in Item 6.e. 1-4 as listed above)
- Opponents (For Annexation Proposals in Item 6.e. 1-4 as listed above)
- Rebuttal
 1. Mountain Estates Subdivision Annexation
 2. Arlington Heights 3 Subdivision Annexation
 3. Wilson Ridge Subdivision Annexation
 4. Alberta Rider School/Summit Ridge Annexation

f. Staff Recommendation

g. Council Discussion

h. Close Public Hearing

i. Council Consideration:

- Ordinance No. 05 - ____ (Mountain Estates Subdivision Annexation)
- Ordinance No. 05- ____ (Arlington Heights 3 Subdivision Annexation)
- Ordinance No. 05- ____ (Wilson Ridge Subdivision Annexation)
- Ordinance No. 05- ____ (Alberta Rider School/Summit Ridge Annexation)

8. COUNCIL LIAISON REPORTS

9. NON AGENDA ITEMS

10. **EXECUTIVE SESSION:** The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

11. ADJOURNMENT

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COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
JULY 12, 2005

Mayor Dirksen called the meeting to order at 6:30 p.m.

City Council Present: Mayor Dirksen and Councilors Harding, Sherwood, Wilson and Woodruff. Also present: Youth Advisory Council President Williams.

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:30 p.m. to consider employment of a public officer and to evaluate the employment-related performance of the chief executive officer under ORS 192.660(2)(a)(i).

Executive Session concluded at 6:45 p.m.

> ADMINISTRATIVE ITEMS

- City Council reviewed the procedure for the Quasi-Judicial Public Hearing of the Appeal of the Conditional Use Permit for the Tigard First Baptist Church Expansion. The applicant submitted a request for additional time; this request is on file in the City Recorder's office. The City Council will open the hearing and continue it to July 26, 2005.
- Additional information was submitted by Public Works Staff for the Public Hearing on Solid Waste Rates – Agenda Item No. 5. The information should be attached as Page 2 of Exhibit A to the proposed resolution.
- The proposed resolution for park and greenway land acquisition guidelines will be pulled from tonight's agenda (Agenda Item No. 6)
- Discussion on Strategic Planning Retreat – After discussion, the tentative date for the City Council Strategic Planning Retreat was set for September 30, 2005.
- Washington County Issue Papers – Washington County staff is scheduled to brief Council on August 16, 2005.
- Fifth Tuesday – The next meeting day is August 30, 2005. City Council asked that the meeting location be changed from the Library Community Room to the Water Auditorium.
- Council received comparison information on Garbage Franchise Fees – 60 Oregon Cities.

- Council Calendar:
 - July 19 Council Workshop Meeting – 6:30 p.m. – Town Hall
 - July 26 Council Business Meeting – 6:30 p.m. – Town Hall
 - August 9 Council Business Meeting – 6:30 p.m. – Town Hall
 - August 16 Council Workshop Meeting – 6:30 p.m. – Town Hall
 - August 23 Council Business Meeting – 6:30 p.m. – Town Hall
 - August 30 5th Tuesday Council Meeting – 7-9 p.m. – Water Auditorium

Study Session Recessed at 6:58 p.m.

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 7:09 p.m. to consider employment of a public officer under ORS 192.660(2)(a).

Executive Session concluded at 7:20 p.m.

1. BUSINESS MEETING

- 1.1 Mayor Dirksen called the meeting to order at 7:34 p.m.
- 1.2 Council Present: Mayor Dirksen; Councilors Harding, Sherwood, Wilson, and Woodruff. Also present: Youth Advisory Council President Williams.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items

Assistant to the City Manager Newton introduced new City of Tigard employee Bob Roth, Volunteer Specialist. Mr. Roth addressed the City Council referring to his hope to diversify and enhance the City's volunteer program.

2. CITIZEN COMMUNICATION

- Mayor Dirksen advised that Agenda Item No. 6 – *Consider a Resolution Setting Forth Land Acquisition Guidelines to be Considered by Council When Acquiring Parks and Greenway Properties* will not be considered tonight.
- Bob Storer, 7225 SW Ventura Drive, Tigard, OR 97223 said he was not supportive of where the process is going on the park and greenway acquisition guidelines. He referenced Oregon law with regard to SDC funds being used to purchase land outside the city limits. Mr. Storer said the law does not prohibit using these funds within city limits. He said he believed the guidelines were slanted toward development and would like to see a balance. He urged the City Council to get involved. He was concerned the matter was over-simplified and this could lead to some bad decisions. The proposed guidelines do not represent what was

indicated by the public survey. He recommended a more comprehensive review.

Councilor Woodruff said Mr. Storer's comments are reasonable. He acknowledged the work done to date by the Park and Recreation Board (PRAB). The PRAB will review this matter again on July 18, 2005.

Mr. Storer suggested the following categories be established to assist with discussion on priority setting:

1. Donated land
 2. Park and recreation facilities
 3. Greenway and natural resources
- John Frewing, 7110 SW Lola Lane, Tigard, OR 97223 commented on the process for developing guidelines to determine how to consider park and greenway acquisitions. He said the guidelines in the proposed resolution contain "terrible" definitions. He recommended that staff define categories. Other issues noted by Mr. Frewing included:
 - Questionable policy of allowing SDC credit to developers
 - Resolution appears to be directed toward developers for acquisition evaluation
 - Noted agreement with Mr. Storer regarding the review categories
 - Scope of the proposed resolution is not clear
 - Resolution is slanted toward developed parks
 - Criteria listed in the resolution is subjective

Mr. Frewing said PRAB needed to review this matter more.

Councilor Wilson advised that the matrix presented was to be used to help make informed decisions when opportunities come up for acquisition of property for parks or greenway.

Councilor Woodruff thanked the citizens and PRAB for their efforts. He noted this work is "new territory" and he appreciated the extra review by PRAB.

- Gretchen Buehner, 13249 SW 136th Place, Tigard, OR 97223, advised that park land and donations had been discussed during review of the Planned Developments. Park land is needed on Bull Mountain. She noted concerns about the influence of special interest and referenced the pressure being placed on the PRAB. She also noted open space needs for the southern and western areas of Tigard.

Councilor Woodruff noted this process has been an open one with regard to participation; however, not everyone will get what they want.

- Interim City Manager Prosser presented a follow-up report to the June 23, 2005 citizen communications:
 - Alice Ellis Gaut noted concerns with a proposed parking lot adjacent to the shelter located near the library. City Council decided not to go forward with the parking lot.
 - Pavel Goberman noted concerns about the size of sign used by Raz Transportation at Pacific Highway. Staff looked into this matter and the sign is smaller than what the Sign Code allows; therefore, Raz could apply for a larger sign if desired.
 - Michael A. Smith had explained his issues regarding the City's requirements relating to property he was marketing for clients at 11990 SW 72nd Avenue. Staff has been working toward resolutions of these issues. Requirements for development are the responsibility of the buyer.
 - Gretchen Buehner requested education efforts be made to explain to the public how SDC funds can be used. Interim Finance Director Imdieke is preparing an article for the September Cityscape.

Youth Advisory Council President Williams noted the following Consent Agenda Items presented for the City Council's review:

3. CONSENT AGENDA

- 3.1 Approve Council Minutes for May 24, and June 14, 2005
- 3.2 Receive and File:
 - a. Council Calendar
 - b. Tentative Agenda
- 3.3 Authorize the Interim City Manager to Relinquish a Public Slope Easement along SW 68th Parkway.
- 3.4 Local Contract Review Board:
 - a. Approve the Purchase of Ten Police Vehicles Under State Contract

Motion by Councilor Wilson, seconded by Councilor Sherwood, to approve the Consent Agenda as presented.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff	Yes

4. PUBLIC HEARING (QUASI-JUDICIAL) – APPEAL OF CONDITIONAL USE PERMIT FOR THE TIGARD FIRST BAPTIST CHURCH EXPANSION

ITEM ON APPEAL: On April 25th, 2005 the Tigard Hearing's Officer held a public hearing to consider an application for conditional use approval to construct a 22,500 square foot expansion of the existing church and associated parking in three phases. As part of Phase 2, the applicant proposed to relocate the existing driveway on SW Gaarde Street. The Hearing Officer adopted findings approving the Conditional Use Permit and Sensitive Lands Reviews and denied the requested Adjustment to the access spacing standards. An appeal was filed on May 25, 2005 by the owner and applicant, on the basis that the Hearing's Officer misconstrued the applicable law. More specifically, the appellant's argue that the Hearing Officer's decision failed to balance the approval criteria.

LOCATION: 11075 SW Gaarde Street; WCTM 2S103DC, Tax Lot 1100.

ZONE: R-3.5: Low-Density Residential District.

REVIEW CRITERIA BEING APPEALED: Community Development Code Chapters 18.370 and 18.705.

- a. Mayor Dirksen opened the public hearing.
- b. Associate Planner Tracy advised the appellant requested postponement of the hearing to allow time to prepare additional arguments.
- c. Motion by Councilor Sherwood, seconded by Councilor Woodruff, to continue the quasi-judicial public hearing for the Appeal of a Conditional Use Permit for the Tigard First Baptist Church Expansion to July 26, 2005.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff	Yes

5. PUBLIC HEARING – SOLID WASTE RATE ADJUSTMENT

- a. Mayor Dirksen opened the public hearing.
- b. Public Works Director Koellermeier presented the staff report and explained the proposed adjustments to the solid waste rates:

1. The haulers rate of return was 7.9 percent and, the franchise agreements provide that when the annual rate of return falls below 8.5%, a range adjustment is automatically triggered.
2. Staff and haulers propose a program change to cart recycling. The new system would provide new 90-gallon roller carts for residents. All recycled materials can be deposited in the cart except for glass and motor oil. Benefits of the new cart recycling program were reviewed.
3. Staff recommends an increase in the franchise fee from 3% to 4%. The funds from this fee will be used to pay for Metro-directed programs and to offer programs to Tigard residents such as neighborhood clean ups and landscape enhancements.

Public Works Director Koellermeier reviewed information distributed to the City Council regarding the rate of garbage franchise fees charged by 60 cities in Oregon. At 4%, Tigard would be about in the middle of the range of the rates charged by these 60 cities.

A summary of the proposed solid waste rate changes follows:

1. Adjustment to solid waste rates to provide a 10% aggregate rate of return on gross revenues to be effective August 1, 2005.
2. Adjustment to recycling rates and implementation of the new cart system to be effective January 1, 2006.
3. The 4% franchise fee to be effective January 1, 2006.

c. Council discussion:

Councilor Woodruff said he supported the proposed changes. He noted the rates have not been raised since 2001. In addition, services for customers will be enhanced. He said he would like to see a future discussion on the profit margin set forth in the franchise agreement to determine whether the margin is fair.

d. Public Testimony:

- John Frewing, 7110 SW Lola Lane, Tigard, OR 97223, questioned the 90-gallon recycling cart and asked for the justification for a cart of this size. He noted the cart would be unattractive and the difficulty some customers might have with moving a cart this large.

Discussion followed. In 2001, the City Council decided that the fees charged for solid waste collection would be based on a direct cost of service. At that time, commercial rates collected were offsetting costs for residential services. With regard to the size of the recycling cart, Public Works Director Koellermeier advised that the 90-gallon cart has worked well in other communities. Smaller carts can be provided.

Councilor Wilson asked if bulky-item pick up service was addressed. Public Works Director Koellermeier said special pick-ups are available. Staff will explore whether a bulky-item drop off day(s) can be offered to residents, similar to the fall leaf drop-off program.

Councilor Harding supported offering a service for collection of bulky items. She said she also supported using some funds to help with neighborhood clean-up programs.

- Gretchen Buehner, 13249 SW 136th Place, Tigard, OR 97223, said she agreed with Mr. Frewing about concerns with a large recycling cart. She suggested the haulers be proactive and let customers know at the beginning of the program that there is an option to use a smaller cart.

- e. Public Works Director Koellermeier recommended the City Council approve the proposed resolution.

Youth Advisory Council President Williams asked how glass could be recycled. Public Works Director Koellermeier advised the plan is for people to use the smaller container now being used for recycled materials for glass. Glass will be picked up periodically (not every week).

- f. Mayor Dirksen closed the public hearing.

- g. Council Consideration:

Motion by Councilor Wilson, seconded by Councilor Sherwood, to adopt Resolution No. 05-46

RESOLUTION NO. 05-46 – A RESOLUTION ADJUSTING SOLID WASTE RATES DUE TO CHANGES IN THE SOLID WASTE INDUSTRY, IMPLEMENTING NEW RECYCLING PROGRAMS, AND ADJUSTING THE FRANCHISE FEE TO 4% OF ANNUAL GROSS REVENUES

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff	Yes

6. CONSIDER A RESOLUTION SETTING FORTH LAND ACQUISITION GUIDELINES TO BE CONSIDERED BY COUNCIL WHEN ACQUIRING PARKS AND GREENWAY PROPERTIES

Motion by Councilor Wilson, seconded by Councilor Sherwood, to carry this agenda item forward to a future date.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff	Yes

7. CONSIDER A RESOLUTION TO ESTABLISH A FINANCIAL STRATEGY TASK FORCE AND APPOINT MEMBERS

- a. Interim City Manager Prosser presented the staff report for this agenda item. The citizen-based Financial Strategy Task Force will work to prepare recommendations for City Council to consider measures to improve the City's financial condition. Potential deficits are forecast within the next four to five years.

The Task Force will consist of the citizen members of the Budget Committee, members of the Committee for Citizen Involvement, a representative from the Downtown Task Force, and a representative from the Transportation Financing Strategies Task Force. The proposed resolution outlines the charge of the Task Force, which includes evaluating City program service levels, looking at ways for the City to deliver services in a more cost-efficient or cost-effective manner, and identify potential new revenue sources such as the City charging fees for service to those citizens that live outside the City boundaries. The Task Force will also review the option of asking the Tigard voters to approve a Local Option Tax Levy. It is expected that the Task will report back to the City Council by December 31, 2005.

In response to a question from Councilor Woodruff, Interim City Manager Prosser advised that it is anticipated the Task Force will

have one or two meetings. There will be public notices for these meetings. Comments may also be forwarded directly to Interim Finance Director Imdieke.

- b. Council members supported the formation of this Task Force in order to look at the overall financial situation of the City and to solicit ideas from the public. Councilor Woodruff suggested an article be placed in the September Cityscape to inform the City residents about the Task Force and solicit comments.

Mayor Dirksen noted that the course the city is on is not sustainable – the City will have to do something different and what's to be done must be based on what citizens suggest.

- c. Motion by Councilor Woodruff, seconded by Councilor Harding, to adopt Resolution No. 05-45.

A member of the audience – Roger Potthoff, 11710 SW Ann Street, Tigard, OR asked if the proposed resolution provides for staff time to assist the Task Force. Interim City Manager Prosser responded that the Finance staff will be involved. In addition, it's possible that a student intern could assist. Councilor Wilson added he would hope the Task Force is provided with adequate research resources – technical and legal.

RESOLUTION NO. 05-48 – A RESOLUTION TO ESTABLISH THE FINANCIAL STRATEGY TASK FORCE AND APPOINT MEMBERS TO THE TASK FORCE

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff	Yes

8. DISCUSSION OF BRANDING/GRAPHIC IDENTITY

- a. Assistant to the City Manager Newton introduced this agenda item.
- b. Consultant Marcusen and City Council reviewed an audit of existing print materials and the signage and identities of other cities. A PowerPoint presentation was utilized during the discussion; a copy is on file in the City Recorder's office. The presentation illustrated logos

and seals used by other cities. During the review, Mr. Marcusen pointed out some of the common elements of the designs.

In response to Councilor Woodruff, who noted that the Council was looking for something more significant than a logo, Mr. Marcusen agreed that branding is more of an identity or an embodiment of a City's personality. He referred to building equity in the City's symbol.

Following are some of the comments during the discussion as City Council and Mr. Marcusen worked through ideas:

- Traditional seals – many of those cities are older (150 years) whereas Tigard was incorporated in 1961.
- Intrigued by the skill of developers for their creative names and logos, which create an image and a sense of place.
- Don't try to put too much, however, into the logo. Convey an image. The image could be "aspirational."
- The logo could represent a concept or a symbol. People bring meaning to it with the rationale behind it.
- Simplicity is being assaulted; looking for "fresh air." Many of the symbols in the logos are fairly fussy.
- Assess what is germane to Tigard: "This is what Tigard is for us."
- Don't make a past that wasn't there; or, a history can sometime be created and this can be effective.
- Clean type faces.
- Keep logo simple; develop a more detailed watermark.
- Reviewed the brainstorming ideas developed by the Vision Task Force.
- Ideas: appreciation of nature, motion (transit, commerce), energetic lifestyle, family friendly, Fanno Creek (plans to focus on this more in the future), destination, a place to rest, home, sense of community. Again, a place to call home, as opposed to a geographic place.
- Mr. Marcusen noted the above ideas are good inspirations for design (community, family friendly), but suggested the conveyance might lead to complexity. Mayor Dirksen suggested use of a tag line; i.e., family friendly, or a place to guideline. The statement could also be used as a guideline for decision making.
- Remember inclusiveness when defining "family."
- Maintain an open mind as this collaboration moves forward to develop symbols. Sometimes photographic images can support and reinforce an identity.
- Discussed how to say family friendly without literally saying. For example, the logo for Spain looks as if a child drew it – "approachable."

- There are all types of family structures, but Tigard is home. "Home images" – developers are good at doing this.
- Trails...this is the way home.
- Mr. Marcusen advised that at the next meeting he will bring in more symbols for the City Council to view including some international design examples. He noted many are multi-colored, which would be expensive to reproduce.
- Urban village – architecture in a stylized form.
- Downtown efforts: preserve and recapture style of older brick buildings, 1890's to 1920's. There has been no discussion yet on design standards for Downtown.
- Ties with the school system, a sense of community, Family Day, a strong sense of family, community values.
- A differentiator for Tigard might be creeks. Values might be difficult to transfer to a symbol, but could use a tag line or develop a motto.
- Tigard's current logo is the only one that is triangular.
- Many things cumulatively support the vision of the City – the symbol sets the tone.

Mr. Marcusen will review the ideas discussed tonight. The Council will continue its review on this matter at its July 19, 2005, workshop meeting.

9. COUNCIL LIAISON REPORTS: None
10. NON AGENDA ITEMS: None
11. EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:30 p.m. to evaluate the employment-related performance of the chief executive officer under ORS 192.660(2)(i).
12. ADJOURNMENT: 10:10 p.m.

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date: _____

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COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
JULY 19, 2005

Mayor Dirksen called the meeting to order at 6:31 p.m.

Council Present: Mayor Dirksen; Councilors Harding, Sherwood, Wilson, and Woodruff.

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:31 p.m. to consider the employment of a public officer, employee, staff member or individual agent and pending litigation under ORS 192.660(2)(a)(h). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

Executive Session concluded at 7:01 p.m.

1. WORKSHOP MEETING

- 1.1 Mayor Dirksen called the City Council & Local Contract Review Board meeting to order at 7:05 p.m.
- 1.2 Council Present: Mayor Dirksen; Councilors Harding, Sherwood, Wilson, and Woodruff.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items: None

2. INSURANCE PLACEMENT UPDATE

The staff report was presented by Risk Manager Mills. The City Council was briefed about insurance renewal for 2005-6. Highlights were:

- ☒ Property and casualty premiums for 2005/06 have gone up 1.1 percent over last year; well under the 10 percent anticipated during the budget process.
- ☒ Workers' Compensation Insurance has been with SAIF for the last nine years. This year, however, CCIS provided the City with an excellent quote, which is more than \$21,000 less than the SAIF quote.

Two resolutions will be presented to the City Council on the July 26, 2005 City Council meeting Consent Agenda for its consideration to complete the insurance renewal process.

3. DISCUSSION OF URBAN RENEWAL FINANCING

Community Development Director Hendryx introduced this agenda item. Also present were Pat Clancy, the City's Financial Advisory from Western Financial Group and Jeff Tashman, the City's Urban Renewal Consultant.

A PowerPoint presentation was reviewed by Mr. Tashman regarding the elements of an urban renewal plan. A copy of this presentation is on file in the City Recorder's office. Mr. Tashman advised that he expects the Oregon Legislature to enact legislation on condemnation of property for economic development in reaction to a recent Supreme Court ruling.

Interim City Manager Prosser introduced Mr. Pat Clancy, noting that Mr. Clancy's firm has advised state and local governments on financial matters for the last 20 years.

Mr. Clancy reviewed urban renewal financing. Highlights of his talk are outlined in a PowerPoint presentation, which is on file in the City Recorder's office.

He noted the purpose of an urban renewal program is to stimulate economic growth in an identified area. He explained that growth will likely not be realized immediately; in fact, the area may experience a decline at first as efforts are made to assemble land for eventual redevelopment. Information reviewed included:

- ☒ A review of financing options:
 - Tax increment financing
 - Assessment bonds (Local improvement district, subject to a percentage of property owner approval)
 - Development trades
 - Loans from the City

Mr. Clancy advised that development follows its own course; therefore, it is unpredictable when an increase in value will occur.

Interim Finance Director Imdieke said that as the Downtown Plan is refined (i.e., projects identified), more creative financing methods can be explored. Interim City Manager Prosser noted that assessment bonds were used in the Tigard Triangle.

In response to a question from Councilor Woodruff, Mr. Clancy could not recall any time where an urban renewal plan defaulted; however, there have been instances where it's taken a long time before an area "took off." In addition, Mr. Clancy said he thought some jurisdictions provided financial assistance to keep the urban renewal effort viable. Mr. Tashman added that, to his knowledge, there has never been a default on urban renewal debt in Oregon. The lending community is conservative when it comes to urban renewal financing.

Discussion followed on the initial stages of urban renewal. Agencies usually start in a small area where they know property owners are interested. Another initial project might be a public/private venture for a parking lot.

There was discussion on fee waivers and enterprise zones where property taxes are waived for a period of time; i.e., three to five years.

Community Development Director Hendryx noted that as the Plan evolves, appropriate financing options will make more sense.

Councilor Wilson said he would be interested in exploring a local improvement district (LID) to spur development. An LID must be used to finance public improvement capital projects. He noted that a proposed economic improvement district (EID) in the downtown was voted down. During discussion it was noted that there had been support for the EID in areas of the downtown.

Interim Finance Director Indieke advised developers have indicated that parking in the downtown is an issue and there is a need for an anchor development close to 99W.

4. JOINT MEETING WITH THE PLANNING COMMISSION TO REVIEW LAND USE RECOMMENDATIONS FOR THE TIGARD DOWNTOWN IMPROVEMENT PLAN

Planning Commission and/or Downtown Task Force Members Present: Barkley, Buehner, Caffall, Duling, Haack, Henderson, Inman, Marr, and Munro

Community Development Director Hendryx reviewed the proposed schedule for the Downtown Plan. So far, 1300 people have been contacted directly by members of the Task Force and staff. Community Development Director Hendryx said the efforts to date have provided the foundation for the upcoming work to be done.

Community Development Director Hendryx reviewed the preferred design alternatives. He advised that a telephone survey started on July 18, 2005. Of those surveyed so far, 90 percent said they have heard about the Downtown Plan. People are curious about the projects. Community Development Director Hendryx said the Downtown Task Force is beginning to refine the proposed catalyst projects. The consultant is working with the Task Force to design a poster to depict concept images to convey what might be possible for the Downtown. This poster will be ready in August and placed at key locations.

Community Development Director Hendryx reviewed display boards:

- ☒ *Downtown: Implementing the Vision; The First Five Years*
- ☒ *Implementation – Timing*

The consultant, without input, reviewed the catalyst projects and made a priority list for implementation. Community Development Director Hendryx advised that the consultant's list did not recognize some those projects that are already in process; i.e., capital improvement program projects.

- ☒ *From Vision to Action – Downtown Projects 2005-06*
- ☒ *Looking Ahead – Making the Plan Happen*
- ☒ *Land Use Implementation – Balance*

The consultants have reviewed the Development Code and have made some preliminary suggestions on land use changes; the Land Use Subcommittee of the Downtown Task Force will review the suggestions.

There was discussion about the failed EID attempt and whether this might have been linked to the fact that a number of downtown properties are owned by people from out of the area. The Downtown Task Force has expended a lot of effort to get everyone involved. The Task force will continue to work on getting more involvement. Downtown Task Force Chair Marr suggested the EID would have been approved if the district did not include Tigard Avenue, which is more of an industrial area (rather than retail).

Planning Commission/Task Force Member Munro noted the need to make some decisions early on to set the stage for a certain type of development.

Councilor Wilson suggested a review of civic uses is advisable. For example, should a public works yard and fleet storage be located in the downtown area? He also noted the post office requires area for small and large trucks. Planning Manager Shields agreed that these types of uses need to be reviewed and balanced. She noted a lot of people come to the

post office. Downtown Task Force Chair Marr said the whole plan is conceptual and issues will need to be worked through.

Mayor Dirksen said adding housing units will be a must and it might be a good idea to move the post office. Downtown Task Force Chair Marr noted that one of the concepts is to have eight-story condominiums located on Hall Boulevard – this needs to be reviewed carefully. There was discussion about providing both upscale and affordable housing.

Planning Commission President Padgett commented about market-driven aspects concerning housing. He said the post office serves as a magnet to bring people downtown and then they would continue to do errands while in the area.

Councilor Sherwood spoke of Nashville, Tennessee's success with offering tax incentives to developers who provide affordable housing.

There was discussion about continuing to keep the Planning Commission informed about the Downtown Plan as it evolves so land use regulations/zoning can be developed to assist the Plan implementation. In addition, there has been discussion by the Planning Commission to review zoning changes as recommendations come out of the 99W Corridor Study. There is interest in finding ways to access parts of Tigard without crossing 99W. Community Development Director Hendryx confirmed that the Planning Commission would be actively involved in the land use regulation process after the community input has been received with regard to what it wants.

Planning Commission President Padgett noted the review of the downtown area should include traffic flow – entrances and connectivity.

Community Development Director Hendryx noted that a determination will be needed whether land use regulations should be incentive-based or regulatory-based.

There was discussion about looking at land use zoning "on the other side of the highway" at the same time to tie in the results of the 99W Corridor Study. Mayor Dirksen suggested some area along Hall Boulevard might also be rezoned.

Downtown Task Force Chair Marr concurred that more work is needed for the "bigger picture"; however, he cautioned that they not lose sight of the main goal, which includes an election in May 2006 on tax increment financing.

- > In an unrelated matter, Planning Commission President Padgett suggested the concession stand at Cook Park be used by organizations for fund raising when it is not being used by the Little League. It was noted that the equipment in the stand is owned by the League. Mayor Dirksen said Mr. Padgett's suggestion might be possible with proper coordination.

Meeting recessed at 9:12 p.m.

Meeting reconvened at 9:19 p.m.

5. DISCUSSION OF BRANDING/GRAPHIC IDENTITY

Assistant to the City Manager Newton introduced this agenda item. Consultant Marcusen and the City Council discussed identity themes that could be translated into a graphic identity. The City Council reviewed some initial concepts proposed by Mr. Marcusen and further refined preferences. Below are highlights of the discussion:

- ☒ Themes – continue to pursue family friendly; tributaries, trees and trails; and place to call home. Do not pursue sense of community or urban village.
- ☒ Continue to explore a tag line, such as "A Place to Call Home." The tag line won't necessarily be used in all instances and the tag line might not be used as part of the logo.
- ☒ Council members selected several logo conceptual drawings they would like to see developed further.
- ☒ Council agreed it would be all right for Mr. Marcusen to present concepts he might think of as he continues to work develop ideas generated from this discussion.
- ☒ The best forms are often very simple.
- ☒ Type faces were discussed; Council members agreed they preferred a serif type face. Mr. Marcusen will explore using upper case and title case.
- ☒ Once a decision has been made on the logo, guidelines should be developed with regard to its use. For example, how can the logo be altered (colors, font, etc.)

Mr. Marcusen will return with sketches for City Council review on September 20, 2005.

6. COUNCIL LIAISON REPORTS: None

7. NON AGENDA ITEMS: None:

> Administrative Items

Office of Consolidated Emergency Management: The Intergovernmental Agreement is on the July 26, 2005, City Council Consent Agenda. City Council consensus was that this item could remain on the Consent Agenda.

Council Calendar:

July

26 Tuesday Council Business Meeting – 6:30 pm, Town Hall

August

9 Tuesday Council Business Meeting – 6:30 pm, Town Hall
16 Tuesday Council Workshop Meeting – 6:30 pm, Town Hall
23 Tuesday Council Business Meeting – 6:30 pm, Town Hall
30 Tuesday 5th Tuesday Council Meeting – 7-9 p.m., *Change in location to the Tigard Water Building Auditorium*

8. EXECUTIVE SESSION: Not held

9. ADJOURNMENT

Motion by Councilor Wilson, seconded by Councilor Harding, to adjourn the meeting at 10:13 p.m.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff:	Yes

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date:_____

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MEMORANDUM

Administration



TO: Honorable Mayor and City Council

FROM: Cathy Wheatley, City Recorder *Cathy*

DATE: August 2, 2005

SUBJECT: Three-Month Council Calendar

Agenda Item No. 3.2a.
For Agenda of August 9, 2005

Regularly scheduled Council meetings are marked with an asterisk (*).

August

9* Tuesday Council Business Meeting – 6:30 pm, Town Hall
16* Tuesday Council Workshop Meeting – 6:30 pm, Town Hall
23* Tuesday Council Business Meeting – 6:30 pm, Town Hall
30 Tuesday 5th Tuesday Council Meeting – 7-9 p.m., Tigard Water Auditorium

September

11 Sunday City's Birthday – 44th
11-18 Sun-Sun Family Week Celebration
13* Tuesday Council Business Meeting – 6:30 pm, Town Hall
20* Tuesday Council Workshop Meeting – 6:30 pm, Town Hall
22 Thursday Citizen Leadership Series – 9 Sessions, Thursday evenings
27* Tuesday Council Business Meeting – 6:30 pm, Town Hall
30 Friday Council Strategic Planning Retreat – Noon, 10305 SW 87th Avenue, Tigard, Oregon

October

11* Tuesday Council Business Meeting – 6:30 pm, Town Hall
18* Tuesday Council Workshop Meeting – 6:30 pm, Town Hall
25* Tuesday Council Business Meeting – 6:30 pm, Town Hall

i:\adm\city council\3-month calendar word format.doc

Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5: Bid Opening Deadline: Scan Deadline @ noon: Req to Sched Due @5: Televised: Attorney Attends:	August 16, 2005 Workshop/6:30 p.m. City Hall August 2, 2005 August 1, 2005 July 29, 2005 July 15, 2005 No No	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5: Bid Opening Deadline: Scan Deadline @ noon: Req to Sched Due @5: Televised: Attorney Attends:	August 23, 2005 Business/6:30 p.m. City Hall August 9, 2005 August 8, 2005 August 5, 2005 July 22, 2005 Yes No	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5: Bid Opening Deadline: Scan Deadline @ noon: Req to Sched Due @5: Televised: Attorney Attends:	August 30, 2005 Special/ 7-9 p.m. Tigard Water Auditorium No No
		Study Session			
Councilor Harding absent. Executive Session - City Manager Recruitment - Sandy - 20 min. National Incident Management System and Office of Consolidated Emergency Management Update (Placeholder - More information to be coming.) Dennis/Mike L. - 30 min. per Mike L. Fanno Creek Park Master Plan Update - Dennis/ Dan - 15 min 2005 LOC Awards Program - Liz - 10 min. Discussion on Consideration of Amending TMC 3.24.090 - to Clarify When SDC Fees are Assessed - Jim - 30 min. Provide Input on Washington County Issue Papers - Jim - 45 min Update of County 2000 Plan - Jim 15 min.		Exec.Sess. - Possible Ppty Foreclosure - Tom - 20 min. Exec. Sess. - City Mgr. Recruitment-Sandy 10 min City Attorney - Scope of Services Review - 10 min. Time Available: 45 min Scheduled: 40 min 5 min left		FIFTH TUESDAY Confirmed - Stacie Yost will facilitate	
		Consent Agenda			
		City Center Advisory Committee Appts. - RES - Jim H. Withdrawal of Railroad Crossing Application - Gus MTIP - Funding in Reserve in Lieu of Greenburg Road Project (Need RS for 2 topics above) 5 min			
		Business Meeting			
		Proclaim September - National Alcohol & Drug Addiction Month - Joanne - 2 min Proclaim September 16, 2005 as Stepfamily Day - Joanne - 2 min Introduction - New Tigard Chamber of Commerce Executive Director Jeremy Monlux and President Pam Brown - Bill D. - 20 min. Update on Library Operations - Margaret - 15 min. First Baptist Church - Final Order - Jim - 10 min. (Need Request to Schedule)			
Time Avail.: 200 min. - Time Sched.: 165 min Time Left -- 35 min.		Time Avail.: 135 min. - Time Scheduled: 49 min Time Left: 86 min.			

Tigard City Council Tentative Agenda 2005

Meeting Date:	September 13, 2005	Meeting Date:	September 20, 2005	Meeting Date:	September 27, 2005
Meeting Type/Time:	Business/6:30 p.m.	Meeting Type/Time:	Workshop/6:30 p.m.	Meeting Type/Time:	Business/6:30 p.m.
Location:	City Hall	Location:	City Hall	Location:	City Hall
Greeter:		Greeter:		Greeter:	
Materials Due @ 5:	August 30, 2005	Materials Due @ 5:	September 6, 2005	Materials Due @ 5:	September 13, 2005
Bid Opening Deadline:	September 20, 2005	Bid Opening Deadline:	September 5, 2005	Bid Opening Deadline:	September 12, 2005
Scan Deadline @ noon:	August 26, 2005	Scan Deadline @ noon:	September 2, 2005	Scan Deadline @ noon:	September 9, 2005
Req to Sched Due @5:	August 12, 2005	Req to Sched Due @5:	August 19, 2005	Req to Sched Due @5:	August 26, 2005
Televised:	Yes	Televised:	No	Televised:	Yes
Attorney Attends:	Yes	Attorney Attends:	No	Attorney Attends:	No
Study Session				Study Session	
Executive Session - Feedback on Possible Ppty. Foreclosure - Tom - 10 min. Mgt. COLA & Compensation 101 - Sandy - 30 min Discuss Strategic Planning Mtg - Craig - 5 min Time Available: 45 min Scheduled 45 min 0 min left		Meeting with IWB - Dennis K. - 20 min I-5/Hwy 99 Connector Information Briefing and Discussion - Gus - 20 min. Proposed 79th Avenue Local Improvement Dist. - Discussion of Options - Gus - 25 min. Application of Public Facility Standards in Development and Capital Improvement Program Projects - Gus - 20 min Graphic Identity/Branding Design Concept Discussion - Liz - 60 min E-Mail Procedures (Need Request to Schedule) Tom - Est 15 min.			
Consent Agenda				Consent Agenda	
Award Contract - FY 2005-06 Storm Drainage Major Maint. Program - Gus Award Contract - Ash Ave. Sanitary Sewer Reimb Dist No. 35 - Gus 5 min					
Business Meeting				Business Meeting	
Proclaim September 17-23, 2005, as Constitution Week - Joanne - 2 min				Proclaim Oct. - Disability Employment Awareness Month - Joanne - 2 min Review and Adopt Resolution Accepting the Tigard Downtown Improvement Plan - Jim 60 min Introduction of Indonesian Delegation - Margaret - 10 min. Annual Police Report - Bill D. - 30 min. - (Need Request to Schedule)	
Time Avail.: 135 min. - Time Scheduled: 2 min Time Left: 133 min.		Time Avail: 200 min. - Time Scheduled: 160 min. Time Left: 40 min.		Time Avail.: 135 min. - Time Scheduled: 102 min Time Left: 33 min.	

Tigard City Council Tentative Agenda 2005

Meeting Date:	September 30, 2005	Meeting Date:	October 11, 2005	Meeting Date:	October 18, 2005
Meeting Type/Time:	Retreat/12:00 PM	Meeting Type/Time:	Business/6:30 p.m.	Meeting Type/Time:	Workshop/6:30 p.m.
Location:	10305 SW 87th Ave	Location:	City Hall	Location:	City Hall
Greeter:		Greeter:		Greeter:	
Materials Due @ 5:	September 16, 2005	Materials Due @ 5:	September 27, 2005	Materials Due @ 5:	October 4, 2005
Bid Opening Deadline:	September 15, 2005	Bid Opening Deadline:	September 26, 2005	Bid Opening Deadline:	October 3, 2005
Scan Deadline @ noon:	September 12, 2005	Scan Deadline @ noon:	September 23, 2005	Scan Deadline @ noon:	September 30, 2005
Req to Sched Due @5:	August 19, 2005	Req to Sched Due @5:	September 9, 2005	Req to Sched Due @5:	September 16, 2005
Televised:	No	Televised:	Yes	Televised:	No
Attorney Attends:	No	Attorney Attends:	Yes	Attorney Attends:	No
		Study Session			
COUNCIL STRATEGIC PLANNING RETREAT				Need request to Schedule: Jt. Meeting with Senior Center - Loreen 30 min?	
		Consent Agenda			
		Business Meeting			
		Proclamation - Make a Difference Day - Joanne			
		Time Avail.: 135 min. - Time Scheduled: 2 min Time Left: 133 min.		Time Avail: 200 min. - Time Scheduled: 30 min. Time Left: 170 min.	

AGENDA ITEM # 3.3a.
FOR AGENDA OF August 9, 2005

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Award of Contract for the Construction of the FY 2005-06 Pavement Major Maintenance Program (PMMP) – Phase 1

PREPARED BY: Vannie Nguyen DEPT HEAD OK: Agustin P. Duenas CITY MGR OK: Craig Prosser

ISSUE BEFORE THE COUNCIL

Shall the Local Contract Review Board approve the contract award for construction of the FY 2005-06 Pavement Major Maintenance Program (PMMP) – Phase 1?

STAFF RECOMMENDATION

Staff recommends that the Local Contract Review Board, by motion, approve the contract award to **Brix Paving** in the amount of **\$216,067.79** and authorize an additional amount of \$21,606.78 to be reserved for contingencies as the project goes through construction.

INFORMATION SUMMARY

The Pavement Major Maintenance Program (PMMP) is a yearly program of corrective and preventative maintenance on all streets in Tigard. When applied early, preventative maintenance treatments used as part of a pavement preservation strategy will cost less than the reconstruction and rehabilitation of streets that are allowed to deteriorate. The City has been active in implementing the pavement major maintenance program and as a result, has experienced a good return on maintenance investments. Staff has monitored and evaluated the pavement conditions after the treatments have been applied and has formed the following general conclusions: pavement life is extended, traffic safety is improved, and motorists are satisfied because of good riding quality. The FY 2005-06 PMMP is divided into two phases: Phase 1, which is this project, covers the paving work on the following eleven (11) streets; Phase 2 is scheduled to be constructed in the spring of 2006:

1. 66th Avenue (south of Taylors Ferry Road)
2. 109th Avenue (north of Naeve Street)
3. Murdock Street (between 103rd and 97th Avenue)
4. 98th Avenue (between Sattler and Murdock Street)
5. Alberta Street (west of 121st Avenue)
6. James Street (west of 121st Avenue)
7. 124th Avenue (west of 121st Avenue)
8. Marion Street (west of 121st Avenue)
9. Thorn Street (east of 89th Avenue)
10. Spruce Street (west of Hall Boulevard)
11. 89th Avenue (south of Spruce Street)

This project was advertised for bids on July 12, 2005 and July 14, 2005 in the Daily Journal of Commerce and Tigard Times respectively. No project addendum was issued for the project. The bid opening was conducted on July 26, 2005 at 2:00 PM and the bid results are:

Brix Paving	Tualatin, OR	\$216,067.79
KF Jacobsen & Co.	Portland, OR	\$259,042.10
Eagle-Elsner	Tigard, OR	\$261,409.80
Morse Bros	Sherwood, OR	\$276,543.30
Engineer's Estimate		\$289,000

Based on the bids submitted, the lowest responsive bid of \$216,067.79 submitted by Brix Paving appears to be reasonable. Staff recommends approval of the contract award plus ten percent contingency amount of \$21,606.78 to be used as necessary for unforeseen situations that may arise during construction. The total amount authorized for this project is therefore **\$237,674.57**.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

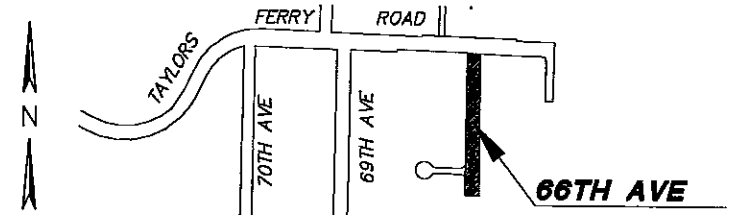
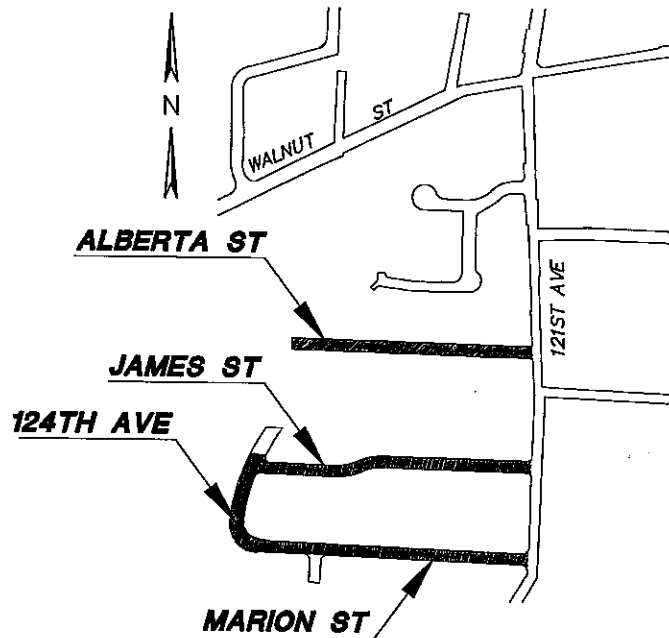
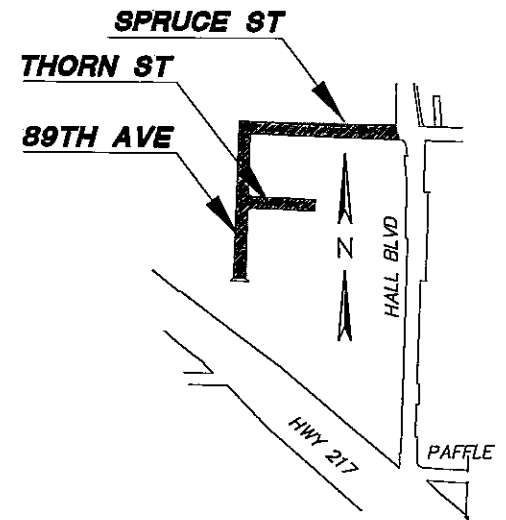
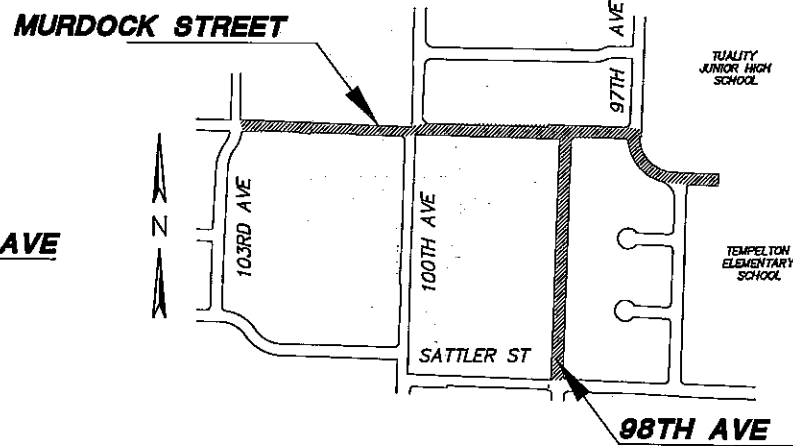
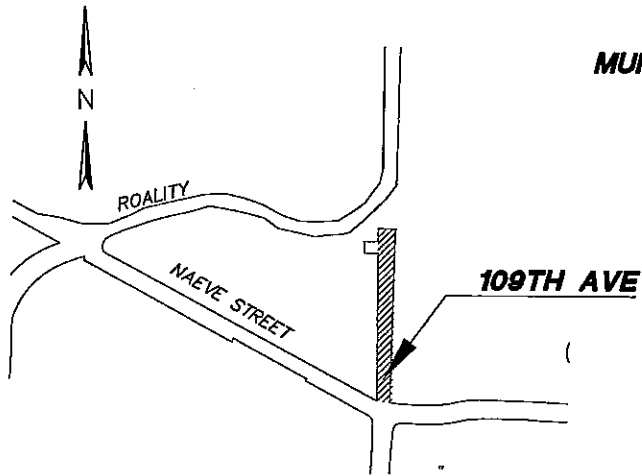
ATTACHMENT LIST

Project location map

FISCAL NOTES

This project is funded in the amount of \$635,000 in the FY 2005-06 CIP Street Maintenance Fee Fund. This amount is sufficient to award the contract of \$216,067.79 to Brix Paving.

**FY 2005-06 PAVEMENT MAJOR MAINTENANCE PROGRAM
PAVEMENT OVERLAY - PHASE 1
66TH, 89TH, 98TH, 109TH & 124TH AVENUES &
ALBERTA, JAMES, MARION, MURDOCK, SPRUCE & THORN STREETS**



AGENDA ITEM # 336
FOR AGENDA OF August 9, 2005

CITY OF TIGARD, OREGON
LOCAL CONTRACT REVIEW BOARD (LCRB) AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Reimbursement to Venture Properties for Waterline Construction

PREPARED BY: Brian Rager DEPT HEAD OK DK by cw CITY MGR OK cl

ISSUE BEFORE THE LOCAL CONTRACT REVIEW BOARD

Shall the LCRB authorize the reimbursement of funds to Venture Properties for the construction of a large diameter transmission waterline through the Summit Ridge Subdivision development?

STAFF RECOMMENDATION

Staff recommends the LCRB authorize the reimbursement of \$86,501 to Venture Properties.

INFORMATION SUMMARY

Section 10.070.C of the LCRB Rules provides that when a developer is required by condition of approval in a land use action to construct public improvements, the City can consider the developer a sole source and is not required to bid the work in a competitive process. Venture Properties was conditioned to install an 18-inch public transmission waterline through their Summit Ridge Subdivision development that will support the 550-foot pressure zone improvements in that area. Venture Properties completed that work and the waterline is now ready for use.

The City will pay (reimburse) only for the cost of the over-sizing. Over-sizing is when a developer is required to install a larger line than what the development specifically needs, but is necessary for the benefit of the overall water system. Staff reviewed the cost information and verified that the expenses were justified and corresponded to the approved plans for the water line.

The attached memorandum provides additional information about the improvements and the requested action.

OTHER ALTERNATIVES CONSIDERED

n/a

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

n/a

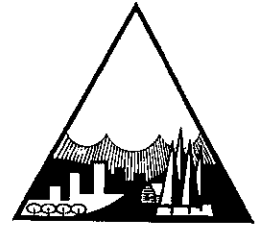
ATTACHMENT LIST

1. Staff memo, dated August 1, 2005
2. Map showing the waterline in relation to Summit Ridge

FISCAL NOTES

The amount of reimbursement to Venture Properties is \$86,501. Each fiscal year, the City budgets funds in the Water SDC Fund to cover expenses for pipeline extensions or waterline over-sizing in private developments. The year end balance in this fund, due to some savings in certain line items and delayed expenditures in other line items, is more than sufficient to cover this reimbursement.

MEMORANDUM



TO: Tigard City Council

FROM: Brian Rager, Assistant Public Works Director

RE: Reimbursement to Venture Properties for Water Line Construction

DATE: August 1, 2005

Background

Section 10.070.C of the City of Tigard Local Contract Review Board Rules, states that:

"At times, private developers provide public improvements for the City as required by a condition of land use approval or as required by a development agreement with the City. The developer in those circumstances is conclusively deemed to be a sole source for the provision of the public improvements, without the need for findings. No competitive process is required to enter into a development agreement that includes the provision of public services by a developer or for a developer to provide and the City to accept public improvements as required by a condition of approval."

The City has been working toward making improvements to the 550-foot pressure zone for the public water system. A 3.0 million gallon (MG) reservoir is currently proposed near the top of Bull Mountain, in the vicinity of the Alberta Rider Elementary School and the Arbor Summit and Summit Ridge subdivision developments. That reservoir will feed the 550-foot pressure zone, which lies to the south of Bull Mountain Road.

In order to serve the 550-foot pressure zone, an 18-inch transmission waterline is needed that will connect to the future reservoir and run south through the Summit Ridge development.

The Summit Ridge Subdivision (Land Use No. SUB 2003-00009) was approved with a condition that required the developer to install the portion of the 18-inch transmission line through the site. Condition No. 29 reads as follows:

"Prior to commencing onsite improvements, the applicant's engineer shall submit construction plans that show they will install an 18-inch water distribution line through this project along a route approved by the Public Works Director and City Engineer. The applicant's engineer shall also provide an engineer's estimate for the 18-inch line. For the portion of line that will serve this development, the estimate must clearly show the difference in cost to upsize this line from 8-inch to 18-inch. "

In accordance with 10.070.C of the LCRB Rules, Staff deemed it appropriate to get the waterline installed as a part of the development to avoid having to re-excavate the streets in the future, and because we anticipate the future reservoir to be constructed within the next few years. The developer has completed the 18-inch waterline through the site and the line is now ready to use once the reservoir is in place.

Value of Improvements

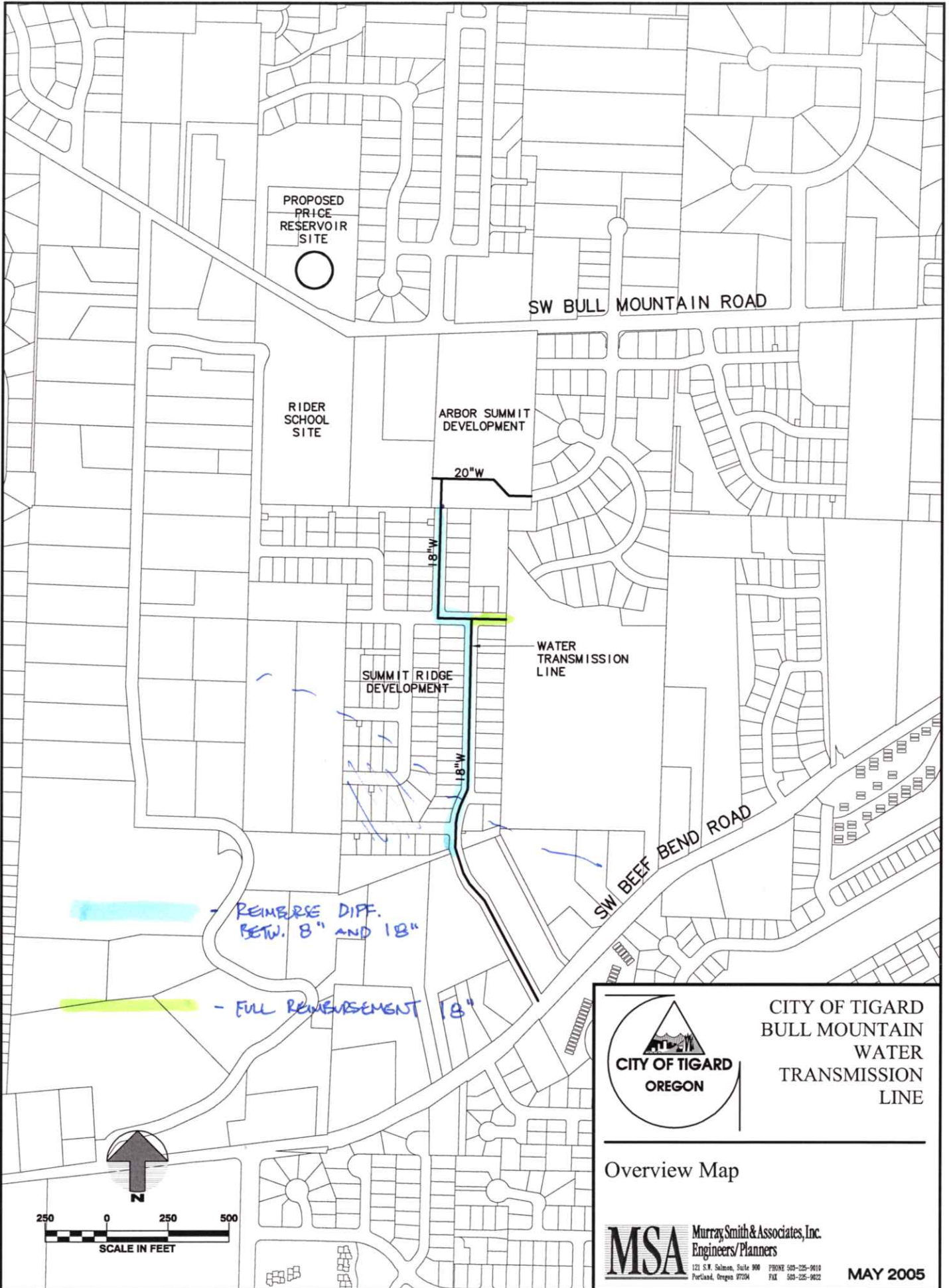
Venture Properties provided information to the City that showed the reimbursable costs to construct the transmission line was \$86,501. Staff reviewed the cost information and verified that the expenses were justified and in line with the approved plans for the water line.

Staff budgets funds each fiscal year to cover pipeline extensions or waterline over-sizing in private developments. "Over-sizing" is when a developer is required to install a larger line than what their development specifically needs, but is necessary for the benefit of the overall water system.

Staff budgeted \$250,000 in the FY 04/05 budget to cover pipeline extensions and over-sizing projects. West Hills Development, who constructed the Arbor Summit project, was recently reimbursed for portions of the same transmission line through their development, in the amount of roughly \$106,000. There are more than adequate funds remaining in this category to cover the Venture Properties reimbursement.

Recommendation

Staff finds that Venture Properties complied with Condition No. 29 of SUB 2003-00009, and recommends the LCRB authorize payment to Venture Properties in the amount of \$86,501.



AGENDA ITEM # 4
FOR AGENDA OF 8/09/05

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Metro Councilor Hosticka to Present Information on Metro's Open Spaces, Treasured Places Celebration

PREPARED BY: Duane Roberts DEPT HEAD OK [Signature] CITY MGR OK cl

ISSUE BEFORE THE COUNCIL

Metro Councilor Carl Hosticka asked for time at this meeting to talk to Council about Metro's Open Spaces, Treasured Places Celebration, scheduled for September 1-11, 2005.

STAFF RECOMMENDATION

This is an informational item. No action is required.

INFORMATION SUMMARY

This fall will mark the 10th anniversary of the Open Spaces, Parks, and Streams Bond Measure. More than 8,100 acres of natural area have been protected as a result of the bond measure's passage in 1995. In addition, more than 100 local projects have brought trails, parks, picnic shelters, and other amenities to neighborhoods across the region.

Metro is planning a series of events and a marketing campaign to highlight the accomplishments of the program and to give people a variety of opportunities to experience the region's natural areas. The celebration is scheduled for September 1-11 and is intended to promote public awareness and pride. A month-long media blitz is planned for the period before and during the events. Metro is inviting partner organizations to participate by sponsoring a local activity or event that fits into the open space theme.

A copy of Metro's webpage information on the celebration is attached.

OTHER ALTERNATIVES CONSIDERED

Community Character and Quality of Life, Community Aesthetics: Identify and implement projects and activities that enhance aesthetic qualities valued by those who live and work in Tigard.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

NA

ATTACHMENT LIST

Attachment #1. Open Spaces, Treasured Places Metro webpage topic summary.

FISCAL NOTES

N/A



REFINE SEARCH



Parks, trails and greenspaces

More on this topic »

Open spaces summer speaking tour

From July 1 through Sept. 11, 2005, members of the Metro Council will embark on...

E-mail this page to a friend

Send feedback to Metro

Print-friendly format

[HOME](#) > [PARKS](#) > [OPEN SPACES](#) > [CELEBRATION](#)

Open Spaces, Treasured Places

Celebrate the 10th anniversary of Metro's open spaces acquisition program which has protected more than 8,000 acres of valuable natural areas for fish, wildlife and people.

Just minutes from your door, gems of green, breathtaking views, rushing rivers and quiet meandering streams await. Meadows, forests, stream banks and butte-tops provide lasting opportunities for people to connect with nature in their neighborhoods.

In 1995, voters in the Portland metropolitan region made an important investment for the future with their overwhelming support of Metro's open spaces, parks and streams bond measure. Ten years later, more than 8,000 acres of valuable natural areas and nearly 74 miles of stream and river frontage have been protected. More than 100 local park projects in neighborhoods across the region offer biking, hiking and wildlife watching opportunities close to home. By protecting clean air and water and fish and wildlife habitat, this highly successful land conservation effort will benefit the region for generations to come.

As we mark the 10th anniversary of Metro's open spaces acquisition program, you'll have more opportunities than ever to get to know the nature of the region. Check back for information about a special series of events planned for Sept. 1-11, 2005. Throughout the summer and fall, you'll find hundreds of ways to celebrate "open spaces, treasured places" on Metro's [online calendar](#).

For more information, call the Regional Parks and Greenspaces Department at (503) 797-1850, fax (503) 797-1849 or send e-mail to metroparks@metro-region.org. The hearing impaired can call TDD (503) 797-1804.

Related Metro links »

Open spaces acquisition

Metro's open spaces, parks and streams bond measure was approved by voters in 1995. The bond measure's primary goal is to purchase natural areas, trails and greenways to be held for future use as parks, trails and fish and wildlife habitat.

Open spaces acquisition target areas

More than 8,130 acres of land have been protected by the 1995 open

THE TIGARD CITY COUNCIL WILL BE ASKED TO:

SET OVER TO THE AUGUST 23, 2005, CITY COUNCIL MEETING THE
CONSIDERATION OF THE FINAL ORDER REGARDING THE APPEAL OF
CONDITIONAL USE PERMIT FOR THE TIGARD FIRST BAPTIST CHURCH
EXPANSION

THE SET OVER IS TO ALLOW ADDITIONAL TIME TO PREPARE THE FINAL
ORDER DOCUMENTS

AGENDA ITEM # 6
FOR AGENDA OF August 9, 2005

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Formation of Sanitary Sewer Reimbursement District No. 35 (SW Ash Avenue)
PREPARED BY: G. Berry ^{257B} DEPT HEAD OK GP Owens CITY MGR OK cl

ISSUE BEFORE THE COUNCIL

Formation of a sewer reimbursement district to construct a sanitary sewer project as part of the Neighborhood Sewer Extension Program.

STAFF RECOMMENDATION

Approval of the attached Resolution forming the Reimbursement District.

INFORMATION SUMMARY

The proposed project would provide sewer service to nine lots along SW Ash Avenue near Garrett Street. Through the City's Neighborhood Sewer Extension Program, the City would install public sewers to each lot within the Reimbursement District and the owners would reimburse the City for a fair share of the cost of the public sewer at the time of connection to the sewer. In addition, each owner would be required to pay a connection fee, currently \$2,635, before connecting to the line and would be responsible for disconnecting the existing septic system according to County rules and any other plumbing modifications necessary to connect to the public line. On July 6, 2005, staff met with owners to review project procedure, construction schedule and estimated costs. Each owner has been notified of the hearing by mail. The notice, mailing list and additional details are included in the City Engineer's Report attached as Exhibit A to the proposed resolution.

If Council approves this request to form the Reimbursement District, bids from contractors to construct the sewer will be requested.

Another resolution to finalize the formation of the Reimbursement District, with cost adjustments, will be submitted for Council action after construction is completed and actual construction costs are determined.

OTHER ALTERNATIVES CONSIDERED

None.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Not applicable.

ATTACHMENT LIST

Attachment 1-Proposed Resolution
Exhibit A, City Engineer's Report
Exhibit B, Map
Attachment 2- Vicinity Map
Attachment 3- Communication Plan
Attachment 4- Notice to Owners
Attachment 5- Mailing List
Attachment 6- Resolution No. 01-46
Attachment 7- Resolution No. 03-55

FISCAL NOTES

The estimated cost of the project is \$110,215. This amount includes the estimated cost of construction plus an amount for administration and engineering as defined in TMC 13.09.040(1).

Funding is by unrestricted sanitary sewer funds.

CITY OF TIGARD, OREGON

RESOLUTION NO. 05-_____

A RESOLUTION ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 35
(SW ASH AVENUE)

WHEREAS, the City has initiated the Neighborhood Sewer Extension Program to extend public sewers and recover costs through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, the property owners of proposed Sanitary Sewer Reimbursement District No. 35 (SW Ash Street) have been notified of a public hearing in accordance with TMC 13.09.060 and a public hearing was conducted in accordance with TMC 13.09.050; and

WHEREAS, the City Engineer has submitted a report describing the improvements, the area to be included in the Reimbursement District, the estimated costs, a method for spreading the cost among the parcels within the District, and a recommendation for an annual fee adjustment; and

WHEREAS, the City Council has determined that the formation of a Reimbursement District as recommended by the City Engineer is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1 The City Engineer's report titled "Sanitary Sewer Reimbursement District No. 35", attached hereto as Exhibit A, is hereby approved.

SECTION 2 A Reimbursement District is hereby established in accordance with TMC Chapter 13.09. The District shall be the area shown and described on Exhibit B. The District shall be known as "Sanitary Sewer Reimbursement District No. 35, SW Ash Avenue."

SECTION 3 Payment of the reimbursement fee as shown in Exhibit A is a precondition of receiving City permits applicable to development of each parcel within the Reimbursement District as provided for in TMC 13.09.110.

SECTION 4 An annual fee adjustment, at a rate recommended by the Finance Director, shall be applied to the Reimbursement Fee.

SECTION 5 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address, in accordance with TMC 13.09.090.

SECTION 6 This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2005.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Exhibit A
City Engineer's Report
Sanitary Sewer Reimbursement District No. 35
(SW Ash Avenue)

Background

This project will be constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program the City of Tigard would install public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner would pay a connection fee, currently \$2,635, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the nine lots in the following table will require the extension of an existing sewer in SW Ash Avenue 510 feet south and west. Further extension of the line could have also provided service to 13700 SW Ash Street. However, this lot could be directly served by another existing sewer in Ash Street so it is not proposed to be included in the district. City staff has discussed service options with the owner.

The proposed project would provide sewer service to a total of nine lots as shown on Exhibit Map B.

Cost

The estimated cost for the sanitary sewer construction to provide service to the nine lots is \$97,106. Engineering and inspection fees amount to \$13,109 (13.5%) as defined in TMC 13.09.040(1). The estimated total project cost is \$110,215. This is the estimated amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay a connection and inspection fee, currently \$2,635, upon connection to the public line. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties are zoned R-4.5 but vary in lot size from about ten thousand to twenty-seven thousand square feet as can be seen in the following list of lots. Therefore, it is recommended that the total cost of the project be divided among the properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's estimated fair share of the public sewer line is \$0.5590 per square foot of lot served. Each owner's fair share would be limited to \$6,000 to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed, as provided by Resolution No. 03-55 (attached).


Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted July 26, 2005


Agustin P. Duenas, P.E.
City Engineer

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ASH AVENUE

Reimbursement District No. 35

*Estimated Cost to Property Owners
July 14, 2005*

OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	ESTIMATED COST TO PROPERTY OWNER	PAID BY OWNER	PAID BY CITY
ADAMS VERNE E	13565 SW ASH AVE	2S102CD01400	11699.288	\$6,540	\$6,000	\$540
BOONE JOE	13605 SW ASH AVE	2S102CD01800	10352.072	\$5,787	\$5,787	\$0
COX FAMILY TRUST	13580 SW ASH AVE	2S102CD02704	26706.496	\$14,929	\$6,000	\$8,929
DIGMAN DONALD C	13600 SW ASH AVE	2S102CD02710	25721.062	\$14,378	\$6,000	\$8,378
OLSON NORRIS A	13660 SW ASH AVE	2S102CD02713	24475.364	\$13,682	\$6,000	\$7,682
OSTROSKA WILLIAM L	13680 SW ASH AVE	2S102CD02716	25319.664	\$14,154	\$6,000	\$8,154
REDLINGER ELIZABETH	13630 SW ASH AVE	2S102CD02707	25103.723	\$14,033	\$6,000	\$8,033
THOMAS ROY F	13560 SW ASH AVE	2S102CD02708	27180.662	\$15,194	\$6,194	\$9,000
YARGER SEAN & APRIL	13585 SW ASH AVE	2S102CD01600	20604.994	\$11,518	\$6,000	\$5,518
Totals			197163	\$110,215	\$53,981	\$56,234
(Cost to Owners + Cost to City)						\$110,215

ASH AVENUE
Reimbursement District No. 35

*Estimated Cost to Property Owners
Summary
July 14, 2005*

Estimated Construction Cost	\$84,440
15% contingency (construction)	\$12,666
Estimated construction subtotal	\$97,106
13.5% contingency (Admin & Eng)	\$13,109
total project costs	\$110,215
total area to be served (S.F.)	197,163
total cost per S.F. to property owner	\$0.55900513

The "estimated cost to property owner" column shows the estimated reimbursement fee each owner is required to pay to connect to the sewer. There are no requirements to connect to the sewer or pay any fees until the owner decides to connect to the sewer. The final reimbursement fee will be determined once construction is complete and final costs are determined.

The amount each property owner will be required to pay will be limited to \$6,000 for connections completed within three years of City Council approval of the final City Engineer's Report following construction; in accordance with Resolution 01-46. This amount is shown in the "paid by owner" column. The remaining portion of the reimbursement fee that the owner will not be required to pay during this three year period is shown in the "paid by city" column.

Please note that this resolution also requires the owner to pay any fair share amounts that exceed \$15,000. Consequently, if the final fair share for an owner exceeds \$15,000, the owner would be required to pay \$6,000 plus the amount the fair share exceeds \$15,000. Under Resolution 03-55, payment of the amount in excess of \$15,000 may be deferred until the owner's lot is developed.

The owner would also be required to pay a connection fee; \$2,635 following June 30, 2005, at the time of connection to the sewer. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

These costs will be explained during the Neighborhood Meeting and there will be an opportunity to ask questions.

ASH AVENUE
FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
REIMBURSEMENT DISTRICT #35
A PORTION OF THE SW 1/4 OF SECTION 2 T2S R1W W.M.



NOTE:

All properties in the reimbursement district are zoned R4.5

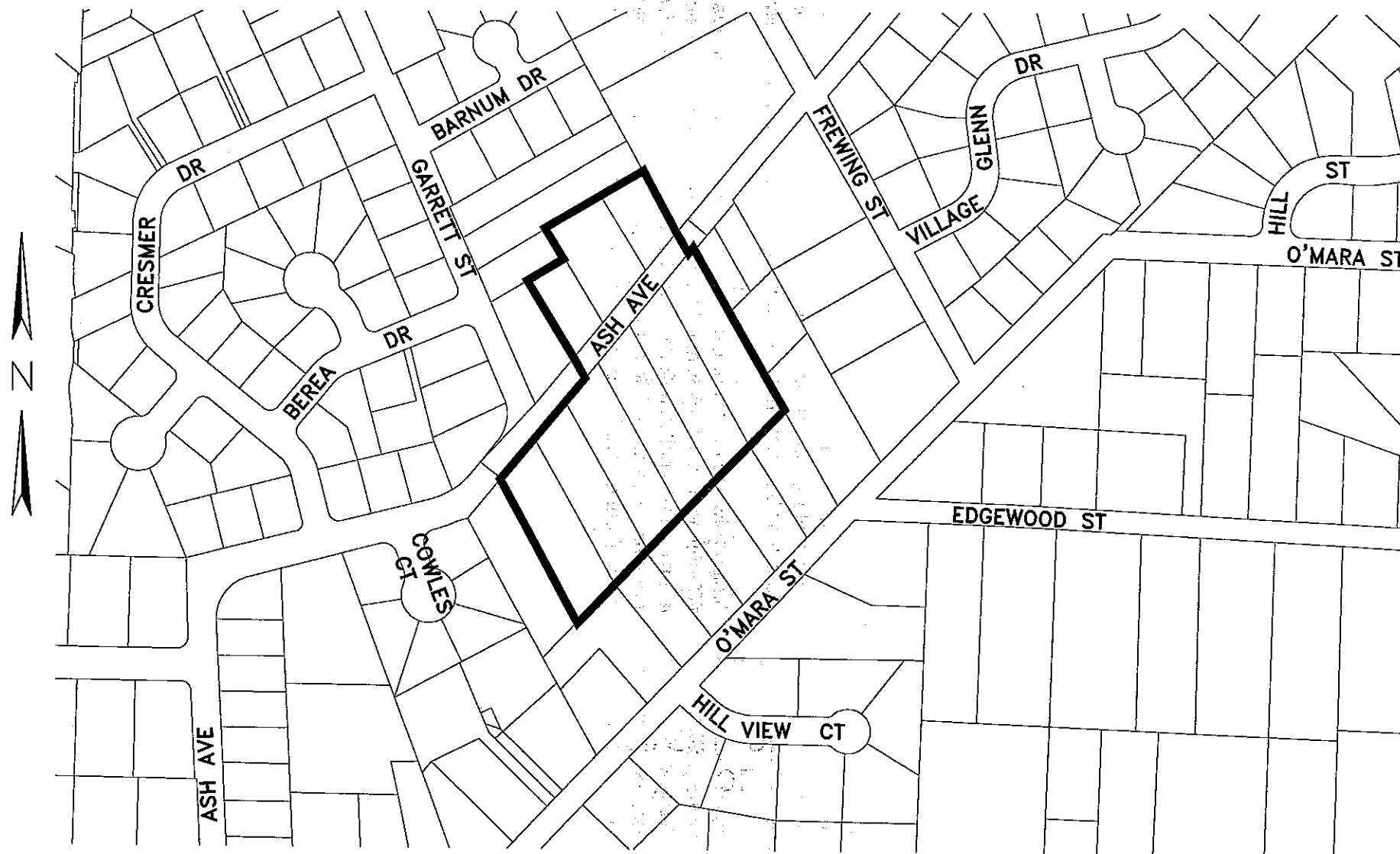
EXHIBIT B

NTS

Revision 1

7.20.05

ASH AVENUE
FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
REIMBURSEMENT DISTRICT #35
A PORTION OF THE SW 1/4 OF SECTION 2 T2S R1W W.M.



VICINITY MAP
NTS

Revision 1

7.20.05

Communications Plan

SW Ash Street Sanitary Sewer Extension

Goal: Construction Sanitary Sewer Extension for Reimbursement District No. 35.

Timeline: FY 2005-06 Construction Season.

Communication Goal: To communicate to property owners within the Sanitary Sewer Reimbursement District the estimated cost of connecting to the public sanitary sewer line, the construction schedule, and final cost for the Reimbursement District.

Date	Item	Description	Responsibility
6/24/05	Neighborhood Meeting Notice	Mail Meeting Notice to property owners	Administrative Specialists
7/6/05	Neighborhood Meeting	Meet with property owners to explain procedure and to review estimated costs and construction schedule.	Engr. Manager Project Engr.
7/26/05	Hearing Notice	Mail Notice of formation of Reimbursement District to Property Owners	Administrative Specialists
8/9/05	Formation Hearing	City Council reviews and forms proposed Sanitary Sewer District	Project Engr.
8/10/05	Notice of Decision	Mail Notice of Decision to property owners within District	Administrative Specialists
8/18/05	Advertisement	Submit advertisement for bids to DJC and TT	Administrative Specialists
9/1/05	Bid Opening	Opening of Bids at public bid opening.	Engr. Manager Administrative Specialist
9/14/05	Award Bid	Send Notice of Award and contract documents to lowest bidder	Administrative Specialists
10/3/05	Pre-Construction Meeting	Meet with contractor to review project requirements	Construction Inspector
10/3/05	Notice to Proceed	Authorize contractor to begin work.	Administrative Specialists
10/3/05	Traffic Control Plan	Plan needs to be approved by construction inspector and project manager	Construction Inspector Engr. Manager
Throughout construction	Lateral Locations	Confirm location of laterals with property owners	Construction Inspector
Throughout construction	Construction Notice	Hang Construction Notice on doorknobs of property owners impacted by project	Construction Inspector Contractor
Throughout construction	Construction Inspection	Inspector is available to receive and respond to complaints	Construction Inspector
10/24/05	Notice to property owners of final hearing	Mail hearing notice, resolution, property owner cost to each property owner.	Project Engr. Administrative Specialists
11/8/05	Final hearing	Council approves final costs to owners	Project Engr.
11/9/05	Notice of sewer availability	Mail approved resolution with final costs to each property owner	Engr. Manager Administrative Specialists

Prepared by: *S. Berry*

Approved by: *Agust P. Quenz*

Marked *MB*

August 9, 2005



NOTICE

Informational Hearing

NOTICE IS HEREBY GIVEN
THAT THE **TIGARD CITY COUNCIL**
AT A MEETING ON
TUESDAY, AUGUST 9, 2005 AT 7:30 PM
IN THE TOWN HALL OF THE TIGARD CIVIC CENTER
13125 SW HALL BLVD
TIGARD OR 97223

TO CONSIDER THE FOLLOWING:

Proposed Sanitary Sewer Reimbursement District No. 35.
(SW Ash Street)

The Tigard City Council will conduct an informational public hearing to hear testimony on the proposed Reimbursement District formed to install sewers in SW Ash Street.

Both public oral and written testimony is invited.

The public hearing on this matter will be conducted as required by
Section 13.09.060 of the Tigard Municipal Code.

Further information and the scheduled time for this item during the Council meeting may be obtained from the Engineering Department, 13125 SW Hall Blvd. Tigard, Oregon 97223, by calling 503 718-2468 or at www.ci.tigard.or.us.

tieng12005-2006 fy ciplash ave ss district\formation\7-25-05 notice 1.doc

ADAMS VERNE E
13565 SW ASH
TIGARD, OR 97223

YARGER SEAN & APRIL
13585 SW ASH AVE
TIGARD, OR 97223

BOONE JOE LEE & WINIFRED ROBERT
13605 SW ASH AVE
TIGARD, OR 97223

THOMAS ROY F
13560 SW ASH
TIGARD, OR 97223

COX FAMILY TRUST
13580 SW ASH AVE
TIGARD, OR 97223

DIGMAN DONALD C
13600 SW ASH
TIGARD, OR 97223

REDLINGER ELIZABETH
13630 SW ASH AVE
TIGARD, OR 97223

OLSON NORRIS A
13660 SW ASH AVE
TIGARD, OR 97223

OSTROSKA WILLIAM L
13500 SW PACIFIC HWY #235
TIGARD, OR 97223

CITY OF TIGARD, OREGON

RESOLUTION NO. 01-46**A RESOLUTION REPEALING RESOLUTION NO. 98-51 AND ESTABLISHING A REVISED AND ENHANCED NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM**

WHEREAS, the City Council has initiated the Neighborhood Sewer Extension Program to extend public sewers through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, on October 13, 1998, the City Council established The Neighborhood Sewer Reimbursement District Incentive Program through Resolution No. 98-51 to encourage owners to connect to public sewer. The program was offered for a two-year period after which the program would be evaluated for continuation; and

WHEREAS, on September 26, 2000, the City Council extended The Neighborhood Sewer Reimbursement District Incentive Program an additional two years through Resolution No. 00-60; and

WHEREAS, City Council finds that residential areas that remain without sewer service should be provided with service within five years; and

WHEREAS, Council has directed that additional incentives should be made available to encourage owners to promptly connect to sewers once service is available and that owners who have paid for service provided by previously established districts of the Neighborhood Sewer Extension Program should receive the benefits of the additional incentives.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Resolution No. 98-51 establishing the Neighborhood Sewer Reimbursement District Incentive Program is hereby repealed.

SECTION 2: A revised incentive program is hereby established for the Neighborhood Sewer Extension Program. This incentive program shall apply to sewer connections provided through the sewer reimbursement districts shown on the attached Table 1 or established thereafter. All connections qualifying under this program must be completed within **three years** after Council approval of the final City Engineer's Report following a public hearing conducted in accordance with TMC Section 13.09.105 or by **two years** from the date this resolution is passed, which ever is later, as shown on the attached Table 1.

SECTION 3: To the extent that the reimbursement fee determined in accordance with Section 13.09.040 does not exceed \$15,000, the amount to be reimbursed by an owner of a lot zoned single family residential shall not exceed \$6,000 per connection, provided that the lot owner complies with the provisions of Section 2. Any amount over \$15,000 shall be reimbursed by the owner. This applies only to the reimbursement fee for the sewer installation and not to the connection fee, which is still payable upon application for

RESOLUTION NO. 01-46

sewer connection.

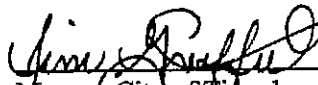
SECTION 4: The City Engineer's Report required by TMC Chapter 13.09 shall apply the provisions of this incentive program. Residential lot owners who do not connect to sewer in accordance with Section 2 shall pay the full reimbursement amount as determined by the final City Engineer's Report.

SECTION 5: Any person who has paid a reimbursement fee in excess of the fee required herein is entitled to reimbursement from the City. The amounts to be reimbursed and the persons to be paid shall be determined by the Finance Director and approved by the City Manager. There shall be a full explanation of any circumstances that require payment to any person who is not an original payer. The Finance Director shall make payment to all persons entitled to the refund no later than August 31, 2001.

SECTION 6: The Sanitary Sewer Fund, which is the funding source for the Neighborhood Sewer Reimbursement District Program, shall provide the funding for the installation costs over \$6,000 up to a maximum of \$15,000 per connection.

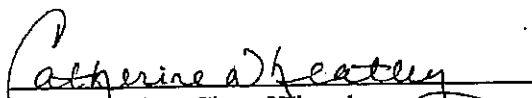
EFFECTIVE DATE: July 10, 2001

PASSED: This 10th day of July 2001.



Mayor City of Tigard

ATTEST:



City Recorder - City of Tigard

I:\Citywide\Res\Resolution Revising the Neighborhood Sewer Incentive Program

TABLE 1 Reimbursement Districts with Refunds Available			
DISTRICT	FEE PER LOT	REIMBURSEMENT AVAILABLE	INCENTIVE PERIOD ENDS
TIGARD ST.No.8	5,193	No reimbursement available	
FAIRHAVEN ST/WYNo.9	4,506	No reimbursement available	
HILLVIEW ST No.11	8,000		July 11, 2003
106 TH & JOHNSON No.12	5,598	No reimbursement available	July 11,2003
100 TH & INEZ No.13	8,000		July 11,2003
WALNUT & TIEDEMAN No.14	8,000		
BEVELAND&HERMOSA No.15	5,036	No reimbursement available	July 11,2003
DELMONTE No.16	8,000		July 11,2003
O'MARA No.17	8,000		Three years from service availability
WALNUT & 121 ST No.18	-	Amount to be reimbursed will be	
ROSE VISTA No.20	-	determined once final costs are determined.	

* Currently being constructed

CITY OF TIGARD, OREGON

RESOLUTION NO. 03- 55**A RESOLUTION PROVIDING ADDITIONAL INCENTIVES TO THE NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM (RESOLUTION NO. 01 - 46).**

WHEREAS, the City Council has initiated the Neighborhood Sewer Extension Program to extend public sewers through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, on July 10, 2001, the City Council established the Revised and Enhanced Neighborhood Sewer Reimbursement District Incentive Program through Resolution No. 01-46 to encourage owners to connect to public sewer within three-years following construction of sewers; and

WHEREAS, Council has directed that additional incentives should be made available to encourage owners of large lots to promptly connect to sewers once service is available.

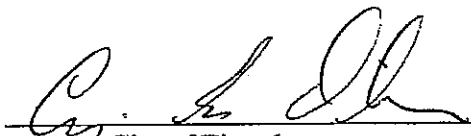
NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1:** In addition to the incentives provided by Resolution No. 01-46, any person whose reimbursement fee exceeds \$15,000 and wishes to connect a single family home or duplex to a sewer constructed through a reimbursement district may defer payment of the portion of the reimbursement fee that exceeds \$15,000, as required by Section 3 of Resolution No. 01-46, until the lot is partitioned or otherwise developed in accordance with a land use permit. The land use permit shall not be issued until payment of the deferred amount is made. The Annual Fee Adjustment required by TMC Section 13.09.115 shall not apply to payment of this deferred amount.
- SECTION 2:** Lots that qualify under Section 1, within reimbursement districts that have exceeded the three-year period for connection, and have not connected to sewer can connect the existing structure, pay a reimbursement fee of \$6,000, and defer payment of the portion of the reimbursement fee that exceeds \$15,000 if connection to the sewer is completed within one year after the effective date of this resolution.
- SECTION 3:** Vacant lots improved with a single family home or duplex during the term of the reimbursement district shall qualify for the provisions of Resolution No. 01-46, pay \$6,000 if the fee exceeds that amount, and may defer payment of the portion of the reimbursement fee that exceeds \$15,000 as provided by Section 1.
- SECTION 4:** Vacant lots that are partitioned, subdivided, or otherwise developed during the life of the reimbursement district shall qualify for the provisions of Resolution No. 01-46, shall pay a reimbursement fee of \$6,000, and shall pay any amount due over \$15,000 at the time of development. The Annual Fee Adjustment required by TMC Section 13.09.115 shall not apply to payments made under this section.
- SECTION 5:** The owner of any lot for which deferred payment is requested must enter into an agreement with the City, on a form prepared by the City Engineer, acknowledging the

owner's and owner's successors obligation to pay the deferred amount as described in Section 1. The City Recorder shall cause the agreement to be filed in the office of the County Recorder to provide notice to potential purchasers of the lot. The recording will not create a lien. Failure to make such a recording shall not affect the obligation to pay the deferred amount.

- SECTION 6: Any person who qualifies under Section 1 and has paid a reimbursement fee for the portion of the reimbursement fee in excess of \$15,000 is entitled to reimbursement for that amount from the City upon request. The amounts to be reimbursed and the persons to be paid shall be determined by the Finance Director and approved by the City Manager. There shall be a full explanation of any circumstances that require payment to any person who is not an original payer. Any person requesting a refund must sign an agreement similar to that described in Section 5 acknowledging the obligation to pay the refunded amount upon partitioning or developing the lot.
- SECTION 7: The Sanitary Sewer Fund continues to remain the funding source for the Neighborhood Sewer Reimbursement District Program and shall provide the funding for the installation costs over \$6,000 up to a maximum of \$15,000 per connection and for any deferred payment permitted by this resolution.
- SECTION 8: This resolution is effective immediately upon passage.

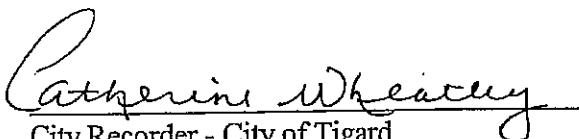
PASSED: This 14th day of October 2003.



~~Mayor - City of Tigard~~

Craig E. Dirksen, Council President

ATTEST:



City Recorder - City of Tigard

I:\eng\reg\reimbursement districts\revisions res 01-48 aug 28 03\oct 14 03 council\10-14-03 addition to res 1-48 res.doc

AGENDA ITEM # _____
FOR AGENDA OF August 9, 2005

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Mountain View Estates Subdivision Annexation (ZCA2004-00004)/
Arlington Heights 3 Subdivision Annexation (ZCA2005-00001)/Wilson Ridge Subdivision Annexation
(ZCA2005-00002)/Alberta Rider/Summit Ridge Subdivision Annexation (ZCA2005-00003)

PREPARED BY: Morgan Tracy DEPT HEAD OK  CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Should the City Council approve the proposed annexation requests?

STAFF RECOMMENDATION

Adopt the four attached Ordinances approving the annexation requests.

INFORMATION SUMMARY

The proposed annexations consist of four separate requests. The Council will be holding one combined public hearing for all four requests. Four separate decisions will have to be made to annex each of the four requests. The individual reports provide the analysis of each of these applications.

The Mountain View Estates annexation is to satisfy a condition of development approval that required the area to be annexed prior to final subdivision plat approval. Similarly, Arlington Heights 3 and Wilson Ridge are requesting annexation in anticipation of subsequent subdivision approvals. These three areas are comprised of seven (7) parcels totaling approximately 26.59 acres and are currently located within unincorporated Washington County and are contiguous to Tigard city limits.

The fourth annexation request (Alberta Rider/Summit Ridge) is to satisfy a requirement of the conditional use approval that the school property be annexed prior to final occupancy, in essence before the school can be opened. The second part of this request is to complete the annexation that began with an earlier annexation of territory through double majority method in ZCA 2004-00001. In that annexation, the City annexed one of the five parcels that were part of Summit Ridge. Concurrently, plats for Phase 1 and Phase 2 were recorded creating lots that straddled the city boundary. Following that annexation, Summit Ridge Phase 3 was reviewed and approved with the requirement that annexation of the remaining portions of Summit Ridge occur prior to that plat recording. There are 56 properties involved in this request and a total area of 20.75 acres.

All four annexations represented here comprise 63 parcels totaling 47.34 acres. As indicated in the staff report to City Council, the proposed annexations meet the applicable standards. Pursuant to Chapter 18.320.020.C of the Tigard Development Code, the Comprehensive Plan designation and the City's zoning is automatically applied to property upon approval of the annexation by Council.

OTHER ALTERNATIVES CONSIDERED

Deny the annexation request, approve annexation of only some of the parcels, or include additional “island” parcels into the annexation proposal.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

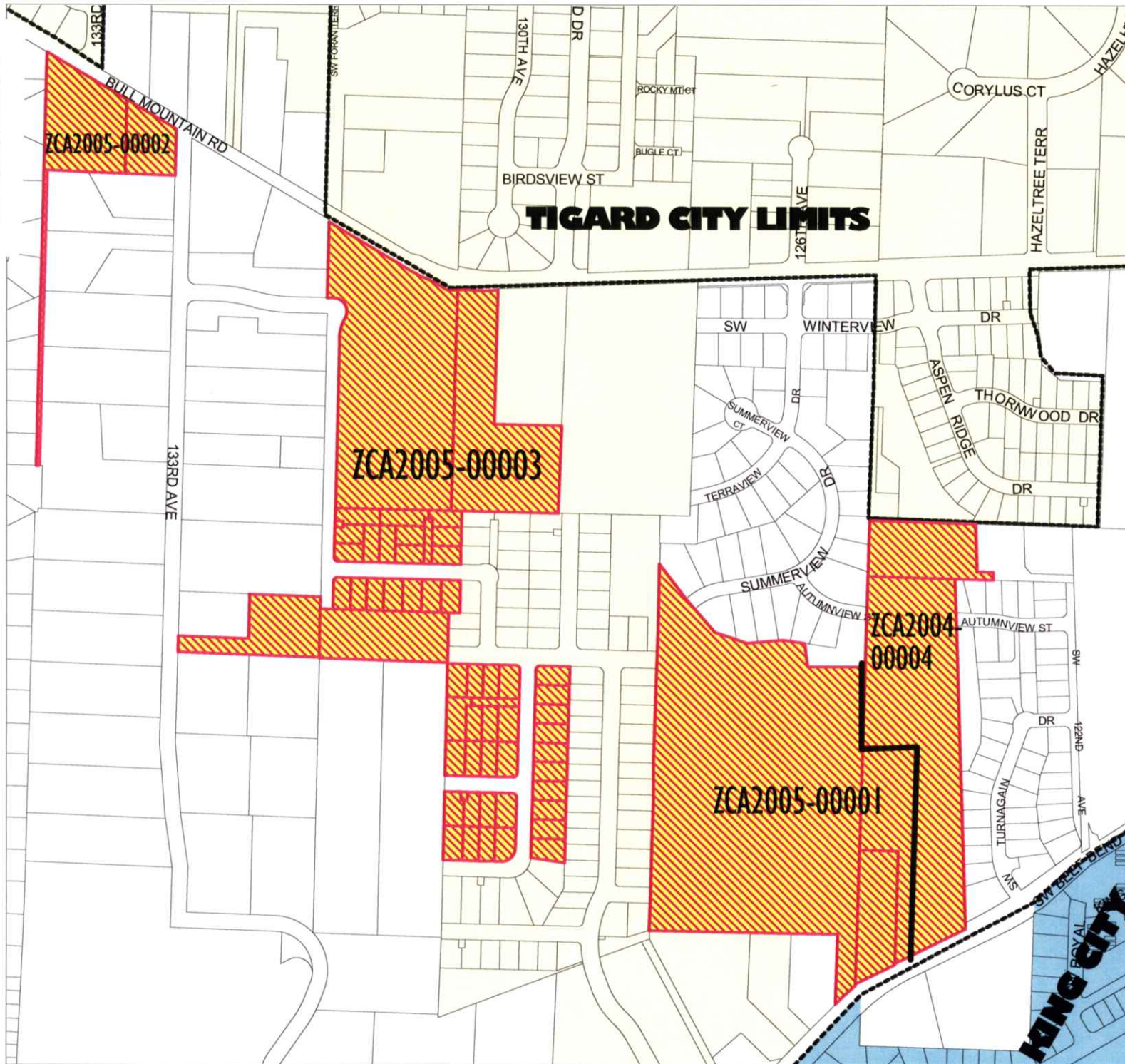
Growth and Management Goal #2: Urban Services are provided to all citizens within Tigard’s urban growth boundary and recipients of services pay their share.

ATTACHMENT LIST

1. **Overall Vicinity Map**
2. **ZCA 2004-00004 (Mountain View Estates Annexation Package)**
Staff Report to the City Council
“Draft” City Council Ordinance
Exhibit A: Legal Description
Exhibit B: Tax Map
Exhibit C: Vicinity Map
3. **ZCA 2005-00001 (Arlington Heights 3 Annexation Package)**
Staff Report to the City Council
“Draft” City Council Ordinance
Exhibit A: Legal Description
Exhibit B: Tax Map
Exhibit C: Vicinity Map
4. **ZCA 2005-00002 (Wilson Ridge Annexation Package)**
Staff Report to the City Council
“Draft” City Council Ordinance
Exhibit A: Legal Description
Exhibit B: Tax Map
Exhibit C: Vicinity Map
5. **ZCA 2005-00001 (Alberta Rider Summit Ridge Annexation Package)**
Staff Report to the City Council
“Draft” City Council Ordinance
Exhibit A: Legal Description
Exhibit B: Tax Map
Exhibit C: Vicinity Map

FISCAL NOTES

There is no direct fiscal impact resulting from annexing the properties. Costs associated with provision of city services will be offset by the collection of SDC’s at time of development.



CITY of TIGARD

GEOGRAPHIC INFORMATION SYSTEM

VICINITY MAP

=====

ZCA2004-00004

MOUNTAIN VIEW ESTATES

=====

ZCA2005-00001

ARLINGTON HEIGHTS 3

=====

ZCA2005-00002

WILSON RIDGE

=====

ZCA2005-00003

ALBERTA RIDER/SUMMIT RIDGE



0 200 400 600 Feet

1" = 429 feet



City of Tigard

Information on this map is for general location only and
should be verified with the Development Services Division.
13125 SW Hall Blvd
Tigard, OR 97223
(503) 639-4171
<http://www.ci.tigard.or.us>

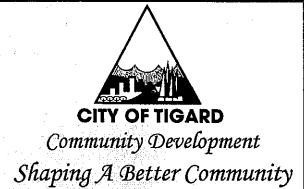
Agenda Item:

Hearing Date:

August 9, 2005

7:30 PM

**STAFF REPORT TO THE
CITY COUNCIL
FOR THE CITY OF TIGARD, OREGON**

**SECTION I. APPLICATION SUMMARY**

FILE NAME: MOUNTAIN VIEW ESTATES ANNEXATION
CASE NO.: Zone Change Annexation (ZCA) ZCA2004-00004

AGENT: Lan Pacific
 Attn: Brian Keefer
 1001 SE Water Ave., #360
 Portland, OR 97214

APPLICANT: Sean Foushee
 Accent Homes
 12583 SW Autumnview St
 Tigard, OR 97223

OWNERS: Dwight C. and Karla Minthorne
 12415 SW Beef Bend Road
 Tigard, OR 97224

Richard and Diane M. Wright
 15350 SW Beef Bend Rd
 Tigard, OR 97224

PROPOSAL: The applicant applied for approval to subdivide property on Beef Bend Road, known as Mountain View Estates. The subdivision's approval included a condition of approval requiring annexation. The applicant has applied for annexation of 6.94 acres.

**CURRENT
ZONING
DESIGNATION:** R-7, Medium Density Residential.

**EQUIVALENT CITY
ZONING
DESIGNATION:** R-7, Medium Density Residential. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

LOCATION: 12415 SW Beef Bend Road, WCTM 2S110CB, Tax Lot 500.
 No Site Address, WCTM 2S110CB, Tax Lot 100.

**APPLICABLE
REVIEW
CRITERIA:** Community Development Code Chapters 18.320 and 18.390;
 Comprehensive Plan Policies 2 and 10; Metro Code Chapter 3.09; and
 ORS Chapter 222.

SECTION II. STAFF RECOMMENDATION

Staff recommends that the Council find that the proposed annexation will not adversely affect the health, safety and welfare of the City. Therefore, staff recommends **APPROVAL** of the annexation by adoption of the attached ordinance.

SECTION III. BACKGROUND INFORMATION

Site Information and Proposal Description:

Lan Pacific, representing Accent Homes applied for approval to subdivide property on Beef Bend Road, known as Mountain View Estates. A condition of that subdivision approval required annexation prior to recording the final plat. Accordingly, the applicant applied for annexation of the two parcels that comprised the subdivision. The total area represented is 6.94 acres and is contiguous to the present city limits along the northern property boundary.

Vicinity Information:

The subject parcels are located north of SW Beef Bend Road, south of Thornwood subdivision, and west of Turnagain Heights.

SECTION IV. APPLICABLE REVIEW CRITERIA AND FINDINGS

The relevant criteria in this case are Tigard Comprehensive Plan Policies 2.1.1, 10.1.1, 10.1.2, and; Tigard Community Development Code Chapter 18.320.

Staff has determined that the proposal is consistent with the relevant policies of the Comprehensive Plan based on the following findings:

Comprehensive Plan

Policy 2.1.1: The City shall maintain an ongoing citizen involvement program and shall assure that citizens will be provided an opportunity to be involved in all phases of the planning process.

This Policy requires an ongoing citizen involvement program. Interested parties and surrounding property owners within 500 feet have been notified of the public hearing and notice of the hearing has been published in a newspaper of general circulation. The site has been posted since June 23, 2005. There have been a number of opportunities for citizens to be involved in the decision making process, including the approval of the subdivision request.

Policy 10.1.1: The City shall review each of the following services as to adequate capacity, or such services to be made available, to serve the parcel if developed to the most intense use allowed, and will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard. The services are: water, sewer, drainage, streets, police, and fire protection.

This policy requires adequate service capacity delivery to annexed parcels. The City of Tigard Police, Engineering and Water Departments, NW Natural Gas, Tualatin Valley Fire and Rescue, have all reviewed the annexation request and have offered no objections. The subject parcels are part of a subdivision that was reviewed and approved based on the availability of public services. Services to the subject parcels have been addressed and conditioned within the review of the Mountain View Estates subdivision approval. This policy is satisfied.

If required by an adopted capital improvements program ordinance, the applicant shall sign and record with Washington County a nonremonstrance agreement regarding the following: The formation of a local improvement district (L.I.D.) for any of the following services that could be provided through such a district. The extension or improvement of the following: water, sewer, drainage and streets. The formation of a special district for any of the above services or the inclusion of the property into a special service district for any of the above services.

No L.I.D.'s were required for the subject parcels or subdivision approvals. All public infrastructure listed above have been conditioned to be constructed and the costs are to be borne by the applicant.

The City shall provide urban services to areas within the Tigard urban planning area or with the urban growth boundary upon annexation.

The City of Tigard has an urban services agreement with Washington County for those areas within the City's urban growth boundary. This policy has been complied with.

Policy 10.1.2: approval of proposed annexations of land by the city shall be based on findings with respect to the following: the annexation eliminates an existing "pocket" or "island" of unincorporated territory; or the annexation will not create an irregular boundary that makes it difficult for the police in an emergency situation to determine whether the parcel is within or outside the city; the police department has commented upon the annexation; the land is located within the Tigard urban planning area and is contiguous to the city boundary; the annexation can be accommodated by the services listed in 10.1.1(a).

This Policy pertains to boundary criteria for annexations. The proposed annexation will not eliminate an existing "pocket" or "island" of unincorporated territory; however the annexation will also not create an irregular boundary making it difficult for police to determine whether a particular parcel is in or outside the city. The proposed annexation will incorporate the entire subdivision boundary for Mountain View Estates. The police department has commented on the proposed annexation request and did not voice any objections. The land is within the Urban Services Area inside the Urban Growth Boundary and is bordered by the city limits on the northern side. Services to the subject property are addressed above. This policy is met.

Community Development Code

Section 18.320.020: This Section addresses approval standards for annexation proposals:

All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;

Adequate service (water, sewer, drainage, streets, police, and fire protection) capacity is available to serve the annexed parcels. The City of Tigard Police, Engineering and Water Departments, NW Natural Gas, Tualatin Valley Fire and Rescue, have all reviewed the annexation request and have offered no objections. Additionally, the adequacy and availability of services was reviewed as part of the Mountain View Estates subdivision approval. Therefore, this policy is satisfied.

The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.

Applicable Comprehensive Plan policies have been addressed above. Ordinance provisions were addressed during the individual reviews of the Mountain View Estates subdivision. This standard has been met.

Assignment of comprehensive plan and zoning designations. The comprehensive plan designation and the zoning designation placed on the property shall be the City's zoning district which most closely implements the City's or County's comprehensive plan map designation. The assignment of these designations shall occur automatically and concurrently with the annexation. In the case of land which carries County designations, the City shall convert the County's comprehensive plan map and zoning designations to the City designations which are the most similar. A zone change is required if the applicant requests a comprehensive plan map and/or zoning map designation other than the existing designations. (See Chapter 18.380). A request for a zone change can be processed concurrently with an annexation application or after the annexation has been approved.

The subject property is in the Urban Service Area and is zoned R-7 medium density residential, pursuant to the City of Tigard's Urban Services Intergovernmental Agreement. The R-7 zoning designation is consistent with the original Washington County's R-6 zoning designation as shown in the table below. The City's zoning was adopted by the County with the City's R-7 zoning district. Therefore, the property does not need to be rezoned upon annexation. According to Section 18.320.020.C, the City's Comprehensive plan and zoning designations occur automatically and concurrently with the annexation.

Conversion table. Table 320.1 summarizes the conversion of the County's plan and zoning designations to City designations which are most similar.

**TABLE 320.1
CONVERSION TABLE FOR COUNTY AND CITY PLAN AND ZONING DESIGNATIONS**

Washington County Land Use Districts/Plan Designation	City of Tigard Zoning	City of Tigard Plan Designation
R-5 Res. 5 units/acre	R-4.5 SFR 7,500 sq. ft.	Low density 1-5 units/acre
R-6 Res. 6 units/acre	R-7 SFR 5,000 sq. ft.	Med. density 6-12 units/acre
R-9 Res. 9 units/acre	R-12 Multi-family 12 units/acre	Med. density 6-12 units/acre
R-12 Res. 12 units/acre	R-12 Multi-family 12 units/acre	Med. density 6-12 units/acre
R-15 Res. 15 units/acre	R-25 Multi-family 25 units/acre	Medium-High density 13-25 units/acre
R-24 Res. 24 units/acres	R-25 Multi-family 25 units/acre	Medium-High density 13-25 units/acre
Office Commercial	C-P Commercial Professional	CP Commercial Professional
NC Neighborhood Commercial	CN Neighborhood Commercial	CN Neighborhood Commercial
CBD Commercial Business District	CBD Commercial Business District	CBD Commercial Business District
GC General Commercial	CG General Commercial	CG General Commercial
IND Industrial	I-L Light Industrial	Light Industrial■

Metro

Metro 3.09 requires the additional standards to be addressed in annexation decisions, in addition to the local and state review standards. These are addressed and satisfied as discussed below:

Consistency with the directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;

The processing has been done consistent with applicable Urban Service Provider agreements.

Consistency with directly applicable provisions of urban planning or other agreement, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;

The process required by the Development Code and Comprehensive Plan is consistent with the Urban Planning Agreement for annexations.

Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;

This has been discussed previously in this report and, as discussed, this criterion is satisfied.

Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plans;

Because the Development Code has been amended to comply with applicable Metro functional plan requirements, by complying with the Development Code and Comprehensive Plan, the annexation is consistent with the applicable Functional Plan and the Regional Framework plan.

Whether the proposed changes will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;

The proposed annexation will not interfere with the provision of public facilities or services because it is adjacent to existing city limits and services, and the delivery of those services was anticipated as part of the urban services agreement which is intended to promote the timely, orderly, and economic delivery of public facilities and services.

If the proposed boundary change is for annexation of territory to Metro, a determination by Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criterion for approval;

The subject property is already within the Metro boundaries.

Consistency with other applicable criteria for the boundary change in question under state and local law.

Consistency with other applicable criteria has been discussed previously in this report.

SECTION V. AGENCY COMMENTS

Washington County Department Of Land Use & Transportation, Verizon, Qwest Communications, Northwest Natural Gas, Beaverton School District #48, Comcast Cable Corporation, Portland General Electric, Metro Area Communications, Cleanwater Services, Metro Land Use & Planning, Tualatin Hills Park & Rec. District, Tualatin Valley Water District, Tualatin Valley Fire & Rescue, and Tigard/Tualatin School District 23J have had the opportunity to review the proposal and have offered no objections.

BASED ON THE FINDINGS INDICATED ABOVE, PLANNING STAFF RECOMMENDS APPROVAL OF ZONE CHANGE ANNEXATION (ZCA) 2004-00004 – MOUNTAIN VIEW ESTATES ANNEXATION.


PREPARED BY: Morgan Tracy
Associate Planner

July 28, 2005
DATE


APPROVED BY: Richard Bewersdorff
Planning Manager

July 28, 2005
DATE

CITY OF TIGARD, OREGON

ORDINANCE NO. 2005-_____

AN ORDINANCE ANNEXING 6.94 ACRES, APPROVING MOUNTAIN VIEW ESTATES ANNEXATION (ZCA2004-00004), AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT.

WHEREAS, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed; and

WHEREAS, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation; and

WHEREAS, the Tigard City Council held a public hearing on August 9, 2005 to consider the annexation of two (2) parcels of land consisting of 6.94 acres and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

WHEREAS, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

WHEREAS, pursuant to Metro 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on the issue of the annexation into the City and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District on December 14, 2004; and

WHEREAS, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District by Ordinance; and

WHEREAS, the Tigard Development Code states that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning; and

WHEREAS, the current zoning district is R-7, an existing City zone that has been adopted by the County and the zoning after annexation would remain R-7 so that no zone change is necessary, and by annexation the Comprehensive Plan of the City of Tigard goes into effect; and

WHEREAS, the annexation has been processed in accordance with the requirements of Metro 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro 3.09 regulating annexations; and

WHEREAS, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard City Council hereby annexes the parcels described in the attached **Exhibit "A"** and shown in **Exhibit "B"** and withdraws said parcels from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor and posting by the City Recorder.

SECTION 3: City staff is directed to take all necessary measures to implement the annexation, including certified copies of the Ordinance with Metro for administrative processing, filing with state and county agencies as required by law, and providing notice to utilities.

SECTION 4: Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District shall be the effective date of this annexation.

SECTION 5: Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2006.

SECTION 6: In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, 2005.

Cathy Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2005.

Craig Dirksen, Mayor

Approved as to form:

City Attorney

Date

Mountain View Estates
ZCA2004-00004

Legal Description for Annexation

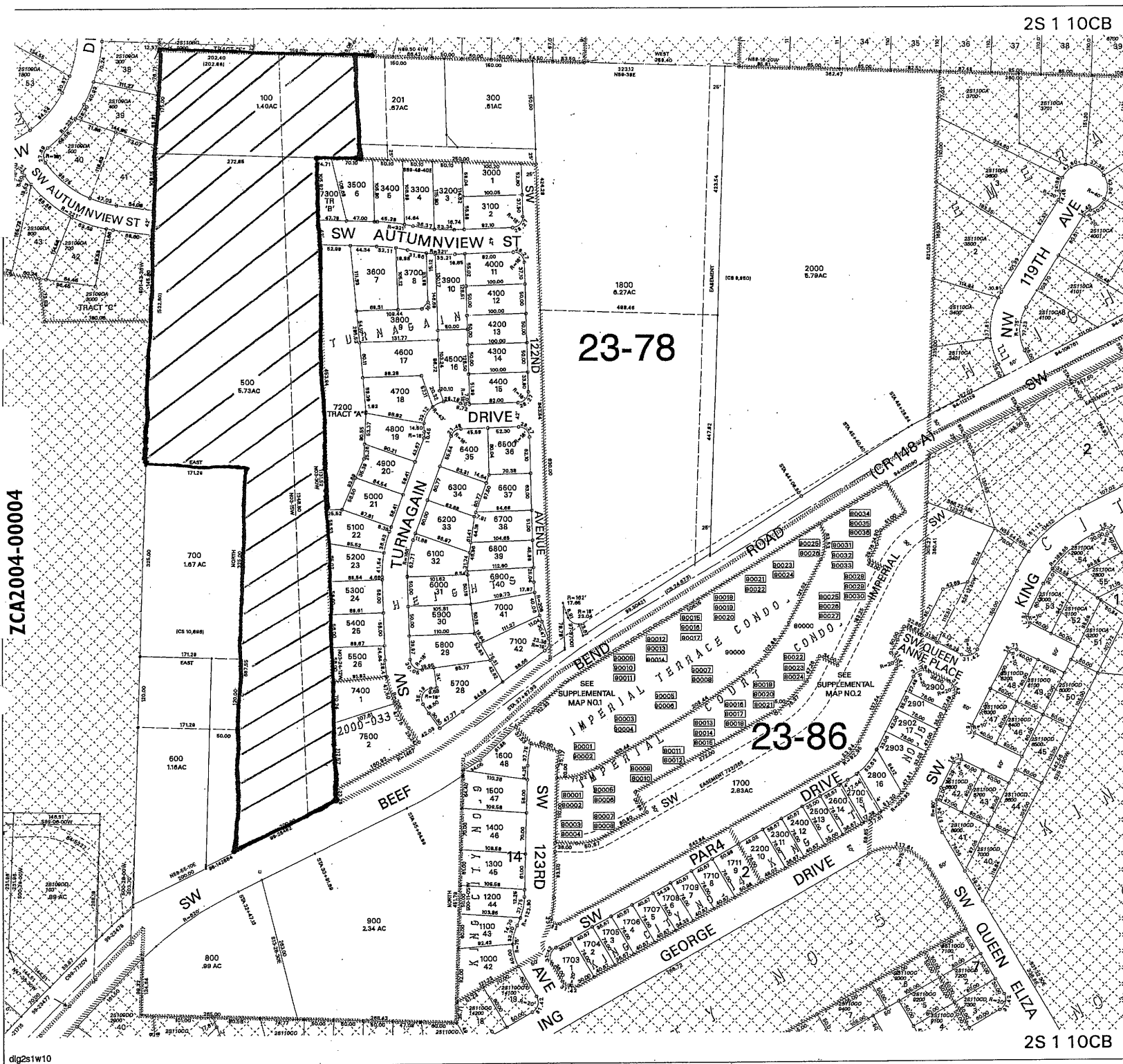
COMBINED TAX LOTS 2S110CB-00100 and 2S110CB-00500

Owners: Dwight C. Minthorne and Karla Minthorne (T.L. 500)
Owners: Richard R Wright and Diane M. Wright (T.L. 100)

A tract of land in Section 10, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, State of Oregon and being more particularly described as follows:

Commencing at the West quarter corner of Section 10, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington, State of Oregon, said point also being the Initial Point; thence, South $89^{\circ}58'17''$ E a distance of 333.50 feet along the South line of "Thornwood", a recorded subdivision in Washington County Survey Records; thence, South $03^{\circ}15'00''$ East a distance of 175.10 feet along the West line of that tract of land described in Document Number 99111751, Washington County Deed Records to the North line of "Turnagain Heights", a recorded subdivision in Washington County Survey Records; thence, North $89^{\circ}55'03''$ West a distance of 70.73 feet along the North line of said "Turnagain Heights" to the Northwest corner of said subdivision; thence, South $03^{\circ}30'35''$ East a distance of 1076.57 feet along the West line of said "Turnagain Heights" to the North line of S.W. Beef Bend Road, County Road Number A-148; thence, along said North line, along a curve to the left having a radius of 1467.00 feet through a central angle of $00^{\circ}50'44''$, the long chord of which bears S $61^{\circ}57'56''$ W a distance of 21.65 feet; thence, along said line, South $62^{\circ}23'18''$ West a distance of 161.60 feet along said North line; thence, along said North line, along a curve to the right having a radius of 858.00 feet through a central angle of $00^{\circ}22'39''$, the long chord bears South $62^{\circ}11'59''$ West a distance of 5.65 feet to the West line of that tract of land described in Document Number 78044753, Washington County Deed Records; thence, North a distance of 629.34 feet along said West line to the Northeast corner of said tract of land; thence, West a distance of 171.29 feet along the North line of said tract of land to the East line of that tract of land described in Document Number 2004-032242, Washington County Deed Records; thence, North a distance of 707.80 feet along the East line of said tract of land and the East line of "Arlington Heights No. 2", a recorded subdivision in Washington County Survey Records to the Initial Point.

Contains 302,171 square feet, 6.94 acres, more or less.



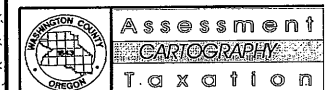
36	37	32	33	34	35	36	37
1	6	5	4	3	2		5
12	7	6	9	10	11	12	
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	20	23	28	27	26	25	30
36	31	32	33	34	35	36	37
1	6	5	4	3	2		5

BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

SECTION 10

Cancelled Taxisl For: 2S110CB

1701, 1712, 1713, 1714, 2100, 601, 1900, 1717, 1718,
 701, 200, 101, 1702, 1715, 1716, 1718, 1719, 91102, 91103,
 91105, 91107, 91201, 91204, 91206, 91208, 92101,
 92104, 92107, 92110, 92202, 92205, 92206, 92211,
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 94205, 94208, 94211, 94214, 94217, 94303, 94306,
 94309, 94312, 94315, 94318, 94001, 902, 402, 5600,



PLOT DATE: November 24, 2003
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

KING CITY
2S 1 10CB



1"= 312 feet



 City of Tigard

Information on this map is for general location only and should be verified with the Development Services Division.

13125 SW Hall Blvd
Tigard, OR 97223
(503) 639-4171

<http://www.ci.tigard.or.us>

Plot date: Jan 14, 2005; C:\magic\MAGIC03.APR

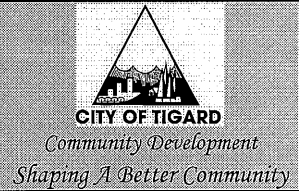
Agenda Item:

Hearing Date:

August 9, 2005

7:30 PM

**STAFF REPORT TO THE
CITY COUNCIL
FOR THE CITY OF TIGARD, OREGON**



SECTION I. APPLICATION SUMMARY

FILE NAME: ARLINGTON HEIGHTS 3 ANNEXATION
CASE NO.: Zone Change Annexation (ZCA) ZCA2005-00001

OWNERS: Matrix Development Corp. Richard And Betty Simerson
 12755 SW 69th Avenue, Ste #100 12455 SW Beef Bend Rd
 Tigard, OR 97223 Tigard, OR 97223

 Walling, Roger/Jacqueline
 12475 SW Beef Bend Road
 Tigard, OR 97224

PROPOSAL: The applicant has applied for annexation of 16.97 acres into the City of Tigard.

CURRENT ZONING DESIGNATION: R-7, Medium Density Residential.

EQUIVALENT CITY ZONING DESIGNATION: R-7, Medium Density Residential. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

LOCATION: WCTM 2S109DA Tax Lot 2100; and 2S110CB Tax Lots 600 and 700.

APPLICABLE REVIEW CRITERIA: Community Development Code Chapters 18.320 and 18.390; Comprehensive Plan Policies 2 and 10; Metro Code Chapter 3.09; and ORS Chapter 222.

SECTION II. STAFF RECOMMENDATION

Staff recommends that the Council find that the proposed annexation will not adversely affect the health, safety and welfare of the City. Therefore, staff recommends **APPROVAL** of the annexation by adoption of the attached ordinance.

SECTION III. BACKGROUND INFORMATION

Site Information and Proposal Description:

The applicant/owner, Matrix Development, has applied for subdivision review, but that application has not completed its review at the time of this report. The subdivision is tentatively named Arlington Heights 3. A standard condition of approval for subdivision proposals on property that borders City limits within the Urban Services Intergovernmental Agreement area is that the property annex prior to final plat approval. There is no requirement that an applicant or property owner wait until receiving land use approval to annex the property. A parcel that is contiguous to the city limits may apply for annexation at any time. The total area represented in this annexation request is 16.97 acres and is contiguous to the present city limits along the western property boundary.

Vicinity Information:

The subject parcels are located north of SW Beef Bend Road, south of Arlington Heights 1 and 2, and east of Summit Ridge subdivision.

SECTION IV. APPLICABLE REVIEW CRITERIA AND FINDINGS

The relevant criteria in this case are Tigard Comprehensive Plan Policies 2.1.1, 10.1.1, 10.1.2, and; Tigard Community Development Code Chapter 18.320.

Staff has determined that the proposal is consistent with the relevant policies of the Comprehensive Plan based on the following findings:

Comprehensive Plan

Policy 2.1.1: The City shall maintain an ongoing citizen involvement program and shall assure that citizens will be provided an opportunity to be involved in all phases of the planning process.

This Policy requires an ongoing citizen involvement program. Interested parties and surrounding property owners within 500 feet have been notified of the public hearing and notice of the hearing has been published in a newspaper of general circulation. The site has been posted since June 23, 2005. There have been a number of opportunities for citizens to be involved in the decision making process, including the approval of the subdivision request.

Policy 10.1.1: The City shall review each of the following services as to adequate capacity, or such services to be made available, to serve the parcel if developed to the most intense use allowed, and will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard. The services are: water, sewer, drainage, streets, police, and fire protection.

This policy requires adequate service capacity delivery to annexed parcels. The City of Tigard Police, Engineering and Water Departments, NW Natural Gas, Tualatin Valley Fire and Rescue, have all reviewed the annexation request and have offered no objections. While the subdivision request has not completed its review, staff finds that there are three roads stubbed to the parcel, an 8" water line stubbed to the site, an 8" CWS sewer line along the east boundary, and drainage on the site is presently provided by two natural drainageways. Before the land is developed at its designated capacity of 7 units to the

gross acre, the subdivision review will require that adequate facilities are available and upsized if necessary to handle the development. By providing this infrastructure, the site will have adequate service capacity. This policy is satisfied.

If required by an adopted capital improvements program ordinance, the applicant shall sign and record with Washington County a nonremonstrance agreement regarding the following: The formation of a local improvement district (L.I.D.) for any of the following services that could be provided through such a district. The extension or improvement of the following: water, sewer, drainage and streets. The formation of a special district for any of the above services or the inclusion of the property into a special service district for any of the above services.

No L.I.D's have been required with the subject parcels or subdivision approval. All public infrastructure listed above will have to be completed before the land is subdivided by a subdivision plat. The costs of providing such services will be borne by the applicant. Since there are no capital improvements identified for this site, no nonremonstrance agreement is necessary.

The City shall provide urban services to areas within the Tigard urban planning area or with the urban growth boundary upon annexation.

The City of Tigard has an urban services agreement with Washington County for those areas within the City's urban growth boundary. This policy has been complied with.

Policy 10.1.2: approval of proposed annexations of land by the city shall be based on findings with respect to the following: the annexation eliminates an existing "pocket" or "island" of unincorporated territory; or the annexation will not create an irregular boundary that makes it difficult for the police in an emergency situation to determine whether the parcel is within or outside the city; the police department has commented upon the annexation; the land is located within the Tigard urban planning area and is contiguous to the city boundary; the annexation can be accommodated by the services listed in 10.1.1(a).

This Policy pertains to boundary criteria for annexations. The proposed annexation will not eliminate an existing "pocket" or "island" of unincorporated territory; however the annexation will also not create an irregular boundary making it difficult for police to determine whether a particular parcel is in or outside the city. The proposed annexation will incorporate the entire subdivision boundary for Arlington Heights Phase 3. All future lots within this phase of the subdivision will be inside city limits. The police department has commented on the proposed annexation request and did not voice any objections. The land is within the Urban Services Area inside the Urban Growth Boundary and is bordered by the city limits on the northern side. Services to the subject property are addressed above. This policy is met.

Community Development Code

Section 18.320.020: This Section addresses approval standards for annexation proposals:

All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;

Adequate service (water, sewer, drainage, streets, police, and fire protection) capacity is available to serve the annexed parcels. The City of Tigard Police, Engineering and Water Departments, NW Natural Gas, Tualatin Valley Fire and Rescue, have all reviewed the annexation request and have offered no objections. Additionally, the adequacy and availability of services to serve the intended R-7 Medium Density residential development will be reviewed and conditioned as necessary as part of the Arlington Heights 3 subdivision review. Therefore, this policy is satisfied.

The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.

Applicable Comprehensive Plan policies have been addressed above. The implementing ordinance provisions of ORS 222, TCDC 18.390, and Metro Code 3.09 were followed in processing this annexation request. Conformance with other development code provisions will be addressed at the time the property develops. This standard has been met.

Assignment of comprehensive plan and zoning designations. The comprehensive plan designation and the zoning designation placed on the property shall be the City's zoning district which most closely implements the City's or County's comprehensive plan map designation. The assignment of these designations shall occur automatically and concurrently with the annexation. In the case of land which carries County designations, the City shall convert the County's comprehensive plan map and zoning designations to the City designations which are the most similar. A zone change is required if the applicant requests a comprehensive plan map and/or zoning map designation other than the existing designations. (See Chapter 18.380). A request for a zone change can be processed concurrently with an annexation application or after the annexation has been approved.

The subject property is in the Urban Service Area and is zoned R-7 medium density residential, pursuant to the City of Tigard's Urban Services Intergovernmental Agreement. The R-7 zoning designation is consistent with the original Washington County's R-6 zoning designation as shown in the table below. The City's zoning was adopted by the County with the City's R-7 zoning district when the Intergovernmental Agreement was signed between the county and the city to provide city planning services to this area. Therefore, the property does not need to be rezoned upon annexation. According to Section 18.320.020.C, the City's Comprehensive plan and zoning designations occur automatically and concurrently with the annexation.

Conversion table. Table 320.1 summarizes the conversion of the County's plan and zoning designations to City designations which are most similar.

**TABLE 320.1
CONVERSION TABLE FOR COUNTY AND CITY PLAN AND ZONING DESIGNATIONS**

Washington County Land Use Districts/Plan Designation	City of Tigard Zoning	City of Tigard Plan Designation
R-5 Res. 5 units/acre	R-4.5 SFR 7,500 sq. ft.	Low density 1-5 units/acre
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Metro

Metro 3.09 requires the additional standards to be addressed in annexation decisions, in addition to the local and state review standards. These are addressed and satisfied as discussed below:

Consistency with the directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;

The processing has been done consistent with applicable Urban Service Provider agreements.

Consistency with directly applicable provisions of urban planning or other agreement, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;

The process required by the Development Code and Comprehensive Plan is consistent with the Urban Planning Agreement for annexations.

Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;

This has been discussed previously in this report and, as discussed, this criterion is satisfied.

Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plans;

Because the Development Code has been amended to comply with applicable Metro functional plan requirements, by complying with the Development Code and Comprehensive Plan, the annexation is consistent with the applicable Functional Plan and the Regional Framework plan.

Whether the proposed changes will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;

The proposed annexation will not interfere with the provision of public facilities or services because it is adjacent to existing city limits and services, and the delivery of those services was anticipated as part of the urban services agreement which is intended to promote the timely, orderly, and economic delivery of those public facilities and services.

If the proposed boundary change is for annexation of territory to Metro, a determination by Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criterion for approval;

The subject property is already within the Metro boundaries.

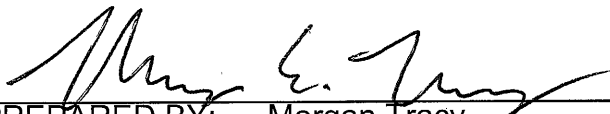
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Consistency with other applicable criteria has been discussed previously in this report.

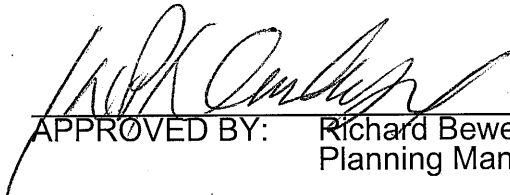
SECTION V. AGENCY COMMENTS

Washington County Department Of Land Use & Transportation, Verizon, Qwest Communications, Northwest Natural Gas, Beaverton School District #48, Comcast Cable Corporation, Portland General Electric, Metro Area Communications, Cleanwater Services, Metro Land Use & Planning, Tualatin Hills Park & Rec. District, Tualatin Valley Water District, Tualatin Valley Fire & Rescue, and Tigard/Tualatin School District 23J have had the opportunity to review the proposal and have offered no objections.

BASED ON THE FINDINGS INDICATED ABOVE, PLANNING STAFF RECOMMENDS APPROVAL OF ZONE CHANGE ANNEXATION (ZCA) 2005-00001 – ARLINGTON HEIGHTS 3 ANNEXATION.


PREPARED BY: Morgan Tracy
Associate Planner

July 28, 2005
DATE


APPROVED BY: Richard Bewersdorff
Planning Manager

July 28, 2005
DATE

CITY OF TIGARD, OREGON

ORDINANCE NO. 2005-_____

AN ORDINANCE ANNEXING 16.97 ACRES, APPROVING ARLINGTON HEIGHTS 3 ANNEXATION (ZCA2005-00001), AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT.

WHEREAS, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed; and

WHEREAS, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation; and

WHEREAS, the Tigard City Council held a public hearing on August 9, 2005 to consider the annexation of three (3) parcels of land consisting of 16.97 acres and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

WHEREAS, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

WHEREAS, pursuant to Metro 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on the issue of the annexation into the City and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District on December 14, 2004; and

WHEREAS, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District by Ordinance; and

WHEREAS, the Tigard Development Code states that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning; and

WHEREAS, the current zoning district is R-7, an existing City zone that has been adopted by the County and the zoning after annexation would remain R-7 so that no zone change is necessary, and by annexation the Comprehensive Plan of the City of Tigard goes into effect; and

WHEREAS, the annexation has been processed in accordance with the requirements of Metro 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro 3.09 regulating annexations; and

WHEREAS, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard City Council hereby annexes the parcels described in the attached **Exhibit "A"** and shown in **Exhibit "B"** and withdraws said parcels from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor and posting by the City Recorder.

SECTION 3: City staff is directed to take all necessary measures to implement the annexation, including certified copies of the Ordinance with Metro for administrative processing, filing with state and county agencies as required by law, and providing notice to utilities.

SECTION 4: Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District shall be the effective date of this annexation.

SECTION 5: Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2006.

SECTION 6: In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, 2005.

Cathy Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2005.

Craig Dirksen, Mayor

Approved as to form:

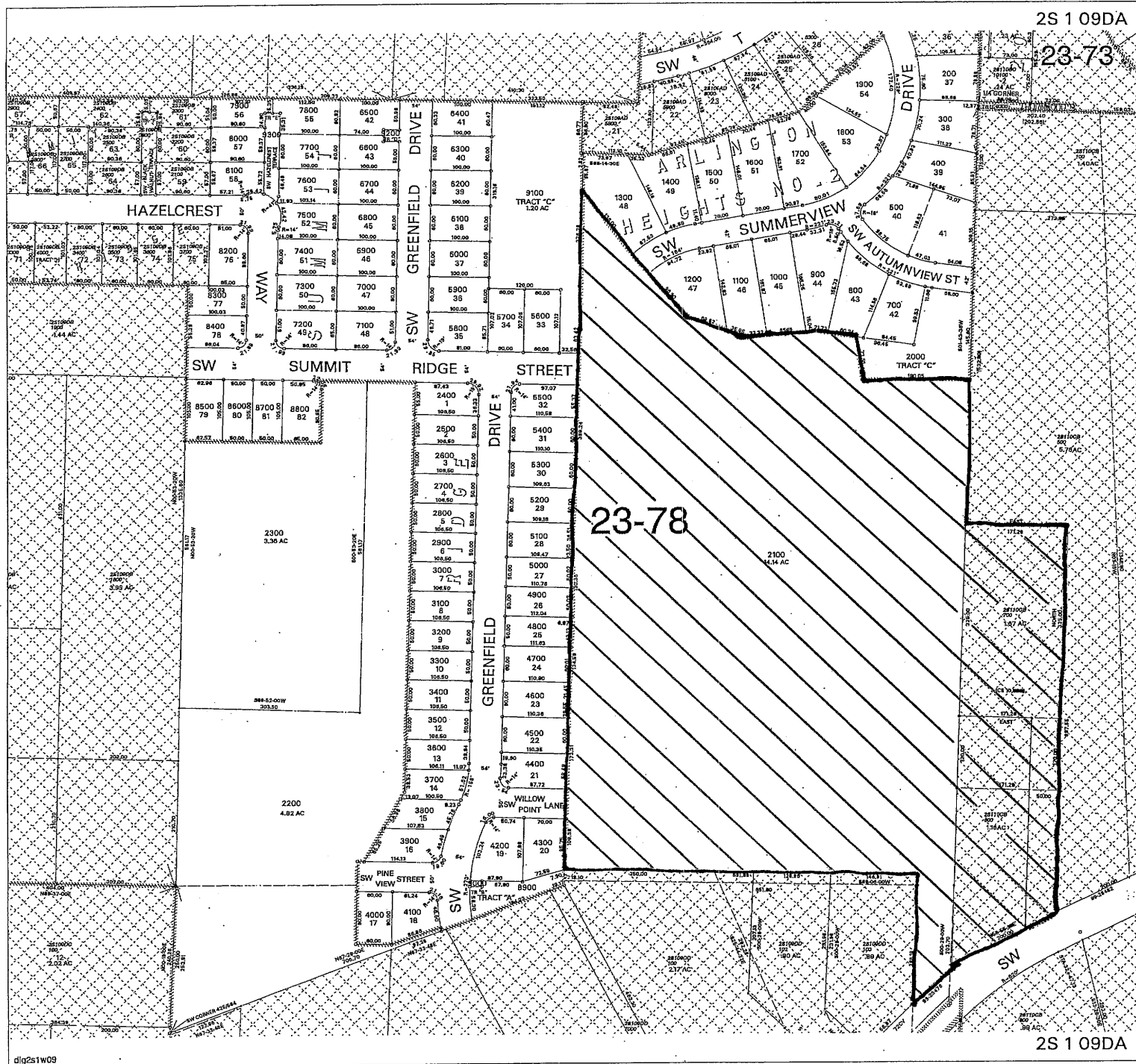
City Attorney

Date

**Arlington Heights 3
ZCA2005-00001**

A tract of land situated in the Section 9 & 10, Township 2 South Range 1 West
Willamette Meridian described as follows:

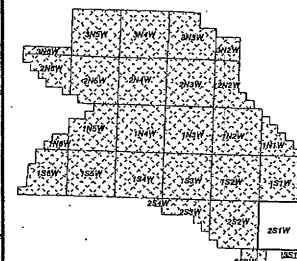
Beginning at the southeast corner of Tract "C" of the subdivision plat of Arlington Heights No. 2 which is on the east line of Section 9; thence S 01° 43' 36" W, along said east line, a distance of 248.13 feet; thence S 88° 16' 24" E, leaving said east line, a distance of 171.29 feet; thence S 01° 43' 36" W a distance of 629.34 feet to the north right of way of SW Beef Bend Road and a point on a non-tangent curve to the left; thence along said curve to the left with a radius of 858.00 feet, a central angle of 18° 45' 39" (a chord which bears S 54° 22' 14" W, 279.69 feet) and a length of 280.94 feet to a point of tangency; thence S 44° 59' 24" W, along said north right-of-way, a distance of 13.10 feet; thence N 01° 43' 36" E a distance of 217.45 feet; thence N 88° 59' 02" W a distance of 591.22 feet to the east line of Summit Ridge subdivision; thence N 02° 02' 19" E a distance of 109.42 feet; thence N 01° 28' 06" E a distance of 173.28 feet; thence N 02° 14' 47" E a distance of 134.59 feet; thence N 00° 00' 56" W a distance of 130.41 feet; thence N 01° 54' 35" E a distance of 389.30 feet; thence N 01° 11' 42" E a distance of 210.05 feet to the south line of Arlington Heights NO. 2; thence along said south line the following 7 courses; thence S 37° 29' 33" E a distance of 140.72 feet; thence S 41° 09' 15" E a distance of 134.27 feet; thence S 71° 02' 09" E a distance of 105.57 feet; thence N 84° 57' 06" E a distance of 113.51 feet; thence S 81° 44' 42" E a distance of 69.97 feet; thence S 07° 15' 19" E a distance of 73.53 feet; thence S 90° 00' 00" E distance of 180.00 feet to the point of beginning.



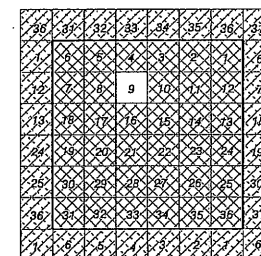
2S 1 09DA
23-73

2S 1 09DA

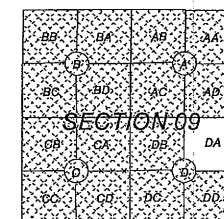
2S 1 09DA



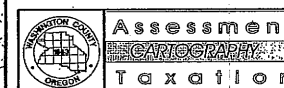
WASHINGTON COUNTY OREGON
NE1/4 SE1/4 SECTION 09 T2S R1W W.M.
SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



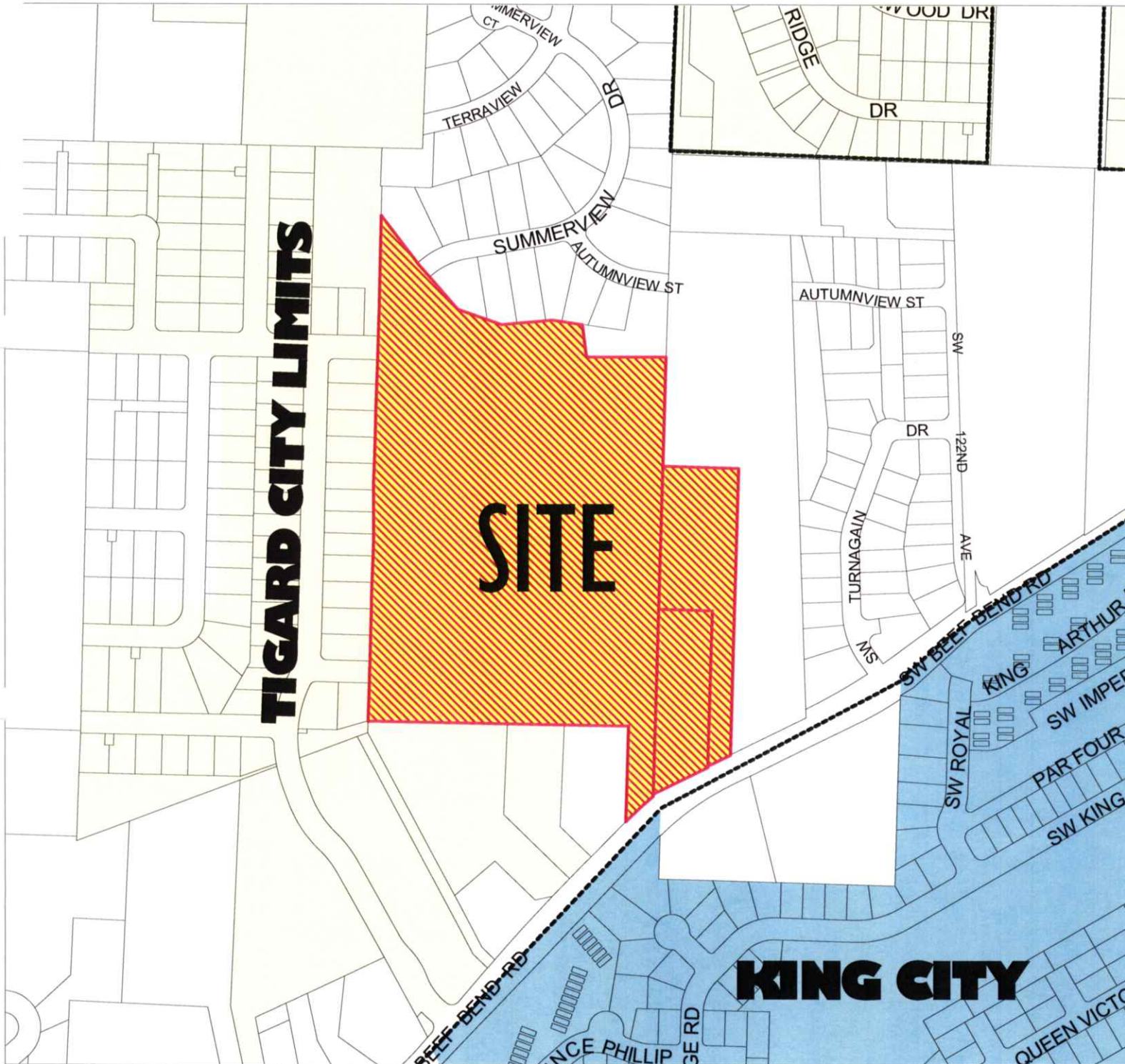
Cancelled Taxlots For: 2S109DA
800,100.



PLOT DATE: January 20, 2005
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

2S 1 09DA



CITY of TIGARD
GEOGRAPHIC INFORMATION SYSTEM

VICINITY MAP

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ZCA2005-00001

=====

**ARLINGTON HEIGHTS 3
ANNEXATION**

Tigard Area Map

N

0 100 200 300 400 Feet

1" = 310 feet

City of Tigard

Information on this map is for general location only and
should be verified with the Development Services Division.
13125 SW Hall Blvd
Tigard, OR 97223
(503) 639-4171
<http://www.ci.tigard.or.us>

Agenda Item:

Hearing Date:

August 9, 2005

7:30 PM

**STAFF REPORT TO THE
CITY COUNCIL
FOR THE CITY OF TIGARD, OREGON**



SECTION I. APPLICATION SUMMARY

FILE NAME: WILSON RIDGE ANNEXATION
CASE NO.: Zone Change Annexation (ZCA) ZCA2005-00002

AGENT: Alpha Community Development
 Attn: Jerry Palmer
 9600 SW Oak Street, Suite 230
 Portland, OR 97223

OWNER: Rickie and Linda Graham
 13400 SW Bull Mountain Rd
 Tigard, OR 97224

PROPOSAL: The applicant has applied for annexation of 2.68 acres into the City of Tigard.

CURRENT ZONING DESIGNATION: R-7, Medium Density Residential.

EQUIVALENT CITY ZONING DESIGNATION: R-7, Medium Density Residential. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

LOCATION: 13350 and 13400 SW Bull Mountain Road,
 WCTM 2S109AC, Tax Lots 100 and 200

APPLICABLE REVIEW CRITERIA: Community Development Code Chapters 18.320 and 18.390; Comprehensive Plan Policies 2 and 10; Metro Code Chapter 3.09; and ORS Chapter 222.

SECTION II. STAFF RECOMMENDATION

Staff recommends that the Council find that the proposed annexation will not adversely affect the health, safety and welfare of the City. Therefore, staff recommends **APPROVAL** of the annexation by adoption of the attached ordinance.

SECTION III. BACKGROUND INFORMATION

Site Information and Proposal Description:

The applicant, Alpha Community Development, has applied for subdivision review for which a decision for approval is pending but has not yet become effective. The subdivision is tentatively named Wilson Ridge. A standard condition of approval for subdivision proposals on property that borders City limits within the Urban Services Intergovernmental Agreement area is that the property annex prior to final plat approval. There is no requirement that an applicant or property owner wait until receiving land use approval to annex the property. A parcel that is contiguous to the city limits may apply for annexation at any time. The total area represented in this annexation request is 2.68 acres and is contiguous to the present city limits along the western property boundary.

Vicinity Information:

The subject parcels are located at the southwest corner of SW 133rd and Bull Mountain Road.

SECTION IV. APPLICABLE REVIEW CRITERIA AND FINDINGS

The relevant criteria in this case are Tigard Comprehensive Plan Policies 2.1.1, 10.1.1, 10.1.2, and; Tigard Community Development Code Chapter 18.320.

Staff has determined that the proposal is consistent with the relevant policies of the Comprehensive Plan based on the following findings:

Comprehensive Plan

Policy 2.1.1: The City shall maintain an ongoing citizen involvement program and shall assure that citizens will be provided an opportunity to be involved in all phases of the planning process.

This Policy requires an ongoing citizen involvement program. Interested parties and surrounding property owners within 500 feet have been notified of the public hearing and notice of the hearing has been published in a newspaper of general circulation. The site has been posted since June 23, 2005. There have been a number of opportunities for citizens to be involved in the decision making process, including the review of the subdivision request.

Policy 10.1.1: The City shall review each of the following services as to adequate capacity, or such services to be made available, to serve the parcel if developed to the most intense use allowed, and will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard. The services are: water, sewer, drainage, streets, police, and fire protection.

This policy requires adequate service capacity delivery to annexed parcels. The City of Tigard Police, Engineering and Water Departments, NW Natural Gas, Tualatin Valley Fire and Rescue, have all reviewed the annexation request and have offered no objections. While the subdivision approval is complete but not yet effective, in the subdivision review staff found that the adjacent streets had adequate capacity, sewers will be extended from the Alberta Rider School site, storm drainage is conveyed through a new pipe to the Alberta Rider project, and water is provided by an existing 12" water line in Bull Mountain Road. The subdivision approval is contingent on the applicant providing these services prior to recording the final plat. This policy is satisfied.

If required by an adopted capital improvements program ordinance, the applicant shall sign and record with Washington County a nonremonstrance agreement regarding the

following: The formation of a local improvement district (L.I.D.) for any of the following services that could be provided through such a district. The extension or improvement of the following: water, sewer, drainage and streets. The formation of a special district for any of the above services or the inclusion of the property into a special service district for any of the above services.

No L.I.D's have been required with the subject parcels or subdivision approval. All public infrastructure listed above will have to be completed before the land is subdivided by a final subdivision plat. The costs of providing such services will be borne by the applicant. Since there are no capital improvements identified for this site, no nonremonstrance agreement is necessary.

The City shall provide urban services to areas within the Tigard urban planning area or with the urban growth boundary upon annexation.

The City of Tigard has an urban services agreement with Washington County for those areas within the City's urban growth boundary. This policy has been complied with.

Policy 10.1.2: approval of proposed annexations of land by the city shall be based on findings with respect to the following: the annexation eliminates an existing "pocket" or "island" of unincorporated territory; or the annexation will not create an irregular boundary that makes it difficult for the police in an emergency situation to determine whether the parcel is within or outside the city; the police department has commented upon the annexation; the land is located within the Tigard urban planning area and is contiguous to the city boundary; the annexation can be accommodated by the services listed in 10.1.1(a).

This Policy pertains to boundary criteria for annexations. The proposed annexation will not eliminate an existing "pocket" or "island" of unincorporated territory; however the annexation will also not create an irregular boundary making it difficult for police to determine whether a particular parcel is in or outside the city. The proposed annexation will incorporate the entire subdivision boundary for Wilson Ridge. There is a long 10 foot wide "pole" that runs south from the parcels. This is a remnant of an easement for access that benefited other properties further south. That easement has been vacated on the subject parcel, so essentially what remains is a long strip of land. While odd in its configuration, the annexation is simply including the entire extent of the parcel as this policy requires. There is no attempt to include a cherry stem (typically achieved by annexing roads) with this subject request. All future lots within this subdivision will be inside city limits. The police department has commented on the proposed annexation request and did not voice any objections. The land is within the Urban Services Area inside the Urban Growth Boundary and is bordered by the city limits on the northern side. Services to the subject property are addressed above. This policy is met.

Community Development Code

Section 18.320.020: This Section addresses approval standards for annexation proposals:

All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;

Adequate service (water, sewer, drainage, streets, police, and fire protection) capacity is available to serve the annexed parcels. The City of Tigard Police, Engineering and Water Departments, NW Natural Gas, Tualatin Valley Fire and Rescue, have all reviewed the annexation request and have offered no objections. Additionally, the adequacy and availability of services to serve the intended R-7 Medium Density residential development will be reviewed and conditioned as necessary as part of the Wilson Ridge subdivision review. Therefore, this policy is satisfied.

The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.

Applicable Comprehensive Plan policies have been addressed above. The implementing ordinance provisions of ORS 222, TCDC 18.390, and Metro Code 3.09 were followed in processing this annexation request. Conformance with other development code provisions will be addressed at the time the property develops. This standard has been met.

Assignment of comprehensive plan and zoning designations. The comprehensive plan designation and the zoning designation placed on the property shall be the City's zoning district which most closely implements the City's or County's comprehensive plan map designation. The assignment of these designations shall occur automatically and concurrently with the annexation. In the case of land which carries County designations, the City shall convert the County's comprehensive plan map and zoning designations to the City designations which are the most similar. A zone change is required if the applicant requests a comprehensive plan map and/or zoning map designation other than the existing designations. (See Chapter 18.380). A request for a zone change can be processed concurrently with an annexation application or after the annexation has been approved.

The subject property is in the Urban Service Area and is zoned R-7 medium density residential, pursuant to the City of Tigard's Urban Services Intergovernmental Agreement. The R-7 zoning designation is consistent with the original Washington County's R-6 zoning designation as shown in the table below. The City's zoning was adopted by the County with the City's R-7 zoning district when the Intergovernmental Agreement was signed between the county and the city to provide city planning services to this area. Therefore, the property does not need to be rezoned upon annexation. According to Section 18.320.020.C, the City's Comprehensive plan and zoning designations occur automatically and concurrently with the annexation.

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Metro 3.09 requires the additional standards to be addressed in annexation decisions, in addition to the local and state review standards. These are addressed and satisfied as discussed below:

Consistency with the directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;

The processing has been done consistent with applicable Urban Service Provider agreements.

Consistency with directly applicable provisions of urban planning or other agreement, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;

The process required by the Development Code and Comprehensive Plan is consistent with the Urban Planning Agreement for annexations.

Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;

This has been discussed previously in this report and, as discussed, this criterion is satisfied.

Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plans;

Because the Development Code has been amended to comply with applicable Metro functional plan requirements, by complying with the Development Code and Comprehensive Plan, the annexation is consistent with the applicable Functional Plan and the Regional Framework plan.

Whether the proposed changes will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;

The proposed annexation will not interfere with the provision of public facilities or services because it is adjacent to existing city limits and services, and the delivery of those services was anticipated as part of the urban services agreement which is intended to promote the timely, orderly, and economic delivery of those public facilities and services.

If the proposed boundary change is for annexation of territory to Metro, a determination by Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criterion for approval;

The subject property is already within the Metro boundaries.


Consistency with other applicable criteria for the boundary change in question under state and local law.

Consistency with other applicable criteria has been discussed previously in this report.

SECTION V. AGENCY COMMENTS

Washington County Department Of Land Use & Transportation, Verizon, Qwest Communications, Northwest Natural Gas, Beaverton School District #48, Comcast Cable Corporation, Portland General Electric, Metro Area Communications, Cleanwater Services, Metro Land Use & Planning, Tualatin Hills Park & Rec. District, Tualatin Valley Water District, Tualatin Valley Fire & Rescue, and Tigard/Tualatin School District 23J have had the opportunity to review the proposal and have offered no objections.

BASED ON THE FINDINGS INDICATED ABOVE, PLANNING STAFF RECOMMENDS APPROVAL OF ZONE CHANGE ANNEXATION (ZCA) 2005-00002 – WILSON RIDGE ANNEXATION.


PREPARED BY: Morgan Tracy
Associate Planner

July 28, 2005
DATE


APPROVED BY: Richard Bewersdorff
Planning Manager

July 28, 2005
DATE

CITY OF TIGARD, OREGON

ORDINANCE NO. 2005-_____

AN ORDINANCE ANNEXING 2.68 ACRES, APPROVING WILSON RIDGE ANNEXATION (ZCA2005-00002), AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT.

WHEREAS, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed; and

WHEREAS, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation; and

WHEREAS, the Tigard City Council held a public hearing on August 9, 2005 to consider the annexation of two (2) parcels of land consisting of 2.68 acres and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

WHEREAS, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

WHEREAS, pursuant to Metro 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on the issue of the annexation into the City and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District on December 14, 2004; and

WHEREAS, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District by Ordinance; and

WHEREAS, the Tigard Development Code states that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning; and

WHEREAS, the current zoning district is R-7, an existing City zone that has been adopted by the County and the zoning after annexation would remain R-7 so that no zone change is necessary, and by annexation the Comprehensive Plan of the City of Tigard goes into effect; and

WHEREAS, the annexation has been processed in accordance with the requirements of Metro 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro 3.09 regulating annexations; and

WHEREAS, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard City Council hereby annexes the parcels described in the attached **Exhibit "A"** and shown in **Exhibit "B"** and withdraws said parcels from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor and posting by the City Recorder.

SECTION 3: City staff is directed to take all necessary measures to implement the annexation, including certified copies of the Ordinance with Metro for administrative processing, filing with state and county agencies as required by law, and providing notice to utilities.

SECTION 4: Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District shall be the effective date of this annexation.

SECTION 5: Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2006.

SECTION 6: In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, 2005.

Cathy Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2005.

Craig Dirksen, Mayor

Approved as to form:

City Attorney

Date



LEGAL DESCRIPTION
GRAHAM ANNEXATION

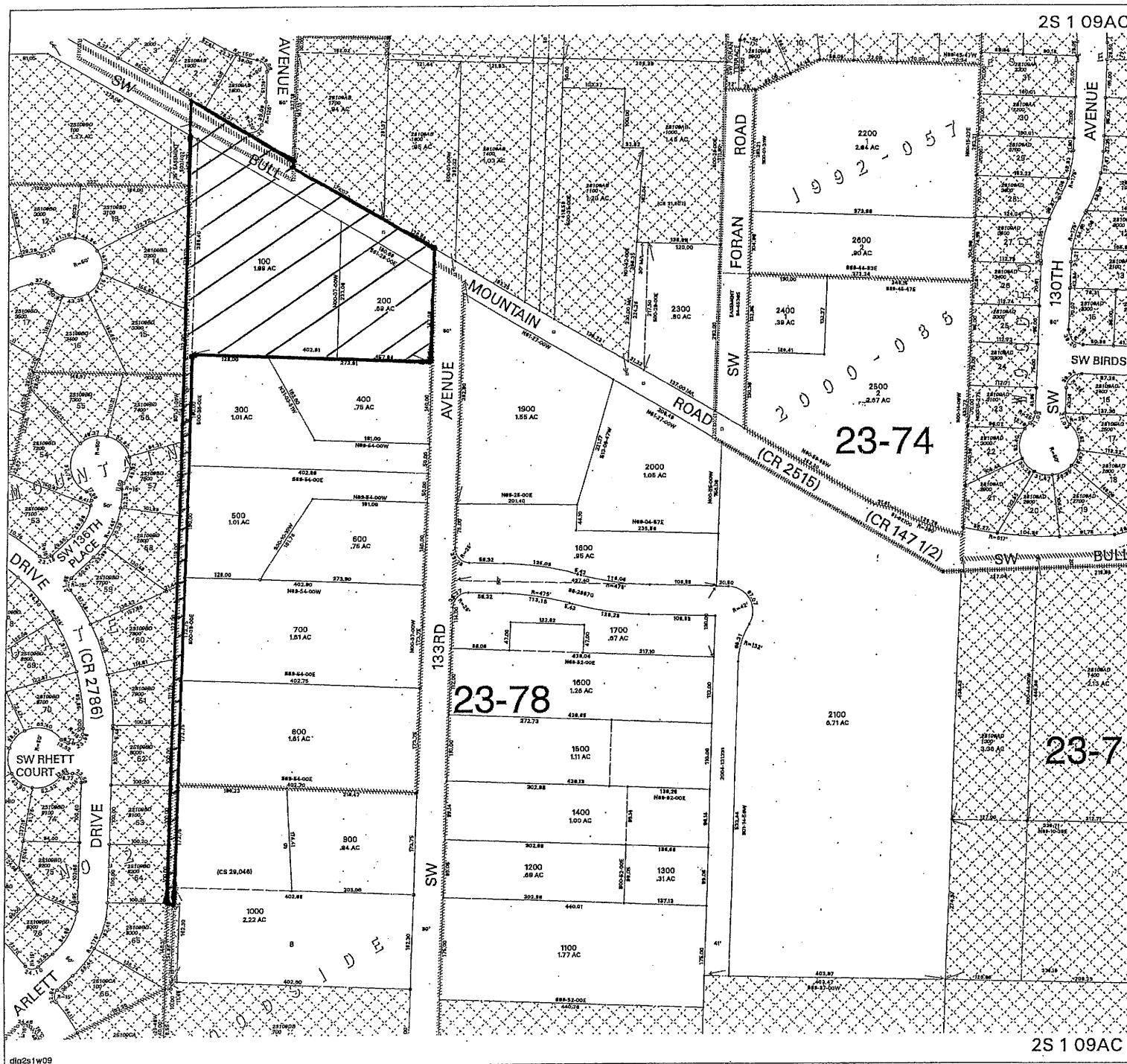
JOB NO. 328-027

A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, DESCRIBED AS FOLLOWS:

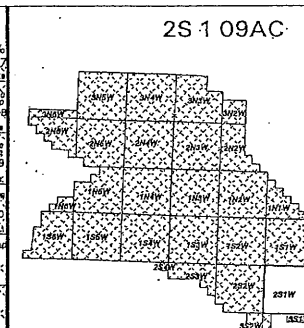
BEGINNING AT THE NORTHEAST CORNER OF LOT 13 OF THE PLAT OF "MOUNTAIN GATE" BEING THE SOUTHEAST CORNER OF THE PROPERTY DESCRIBED IN DEED DOCUMENT NO. 2004-06529; THENCE ALONG THE EAST LINE OF SAID PROPERTY AND SAID LINE EXTENDED, NORTH $01^{\circ}31'37''$ EAST 132.47 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF S.W. BULL MOUNTAIN ROAD (COUNTY ROAD NO. 2515) LYING 20.00 FEET, RIGHT-ANGLE MEASURE, NORTHEASTERLY OF THE CENTERLINE; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH $59^{\circ}20'07''$ EAST 472.32 FEET TO THE INTERSECTION WITH THE NORTHERLY EXTENSION OF WESTERLY RIGHT-OF-WAY LINE OF SW 133RD AVENUE LYING 25.00 FEET, RIGHT-ANGLE MEASURE WEST OF THE CENTERLINE OF SW 133RD AVENUE; THENCE ALONG SAID EXTENSION AND WESTERLY RIGHT-OF-WAY LINE SOUTH $00^{\circ}31'25''$ EAST 192.98 FEET TO THE SOUTHEAST CORNER OF THE PROPERTY DESCRIBED IN DEED DOCUMENT NO. 2000-04259; THENCE LEAVING SAID RIGHT-OF-WAY LINE ALONG THE SOUTH LINE OF SAID PROPERTY AND THE PROPERTY DESCRIBED IN DEED DOCUMENT NO. 2000-14685 NORTH $89^{\circ}43'44''$ WEST 402.59 FEET TO A POINT LYING 10.00 FEET RIGHT ANGLE MEASURE EAST OF THE EAST LINE OF THE PLAT OF "MOUNTAIN GATE" ; THENCE SOUTH $01^{\circ}31'37''$ WEST 928.57 FEET PARALLEL TO THE EAST LINE OF "MOUNTAIN GATE" AND "MOUNTAIN GATE NO.2" ; THENCE LEAVING SAID LINE NORTH $88^{\circ}22'19''$ WEST 10.00 FEET TO A THE SOUTHEAST CORNER LOT 64 "MOUNTAINGATE NO.2"; THENCE ALONG THE AFOREMENTIONED PLAT LINES NORTH $01^{\circ}31'37''$ EAST 1213.81 FEET TO POINT OF BEGINNING.

CONTAINING APPROXIMATELY 3.104 ACRES.

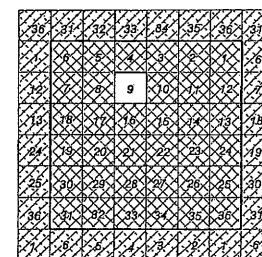
THE BASIS OF BEARING FOR THIS DESCRIPTION IS WASHINGTON COUNTY SURVEY NO. 22,110



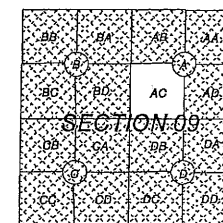
dlq2s1w09



WASHINGTON COUNTY OREGON
SW1/4 NE1/4 SECTION 09 T2S R1W W.M.
SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us

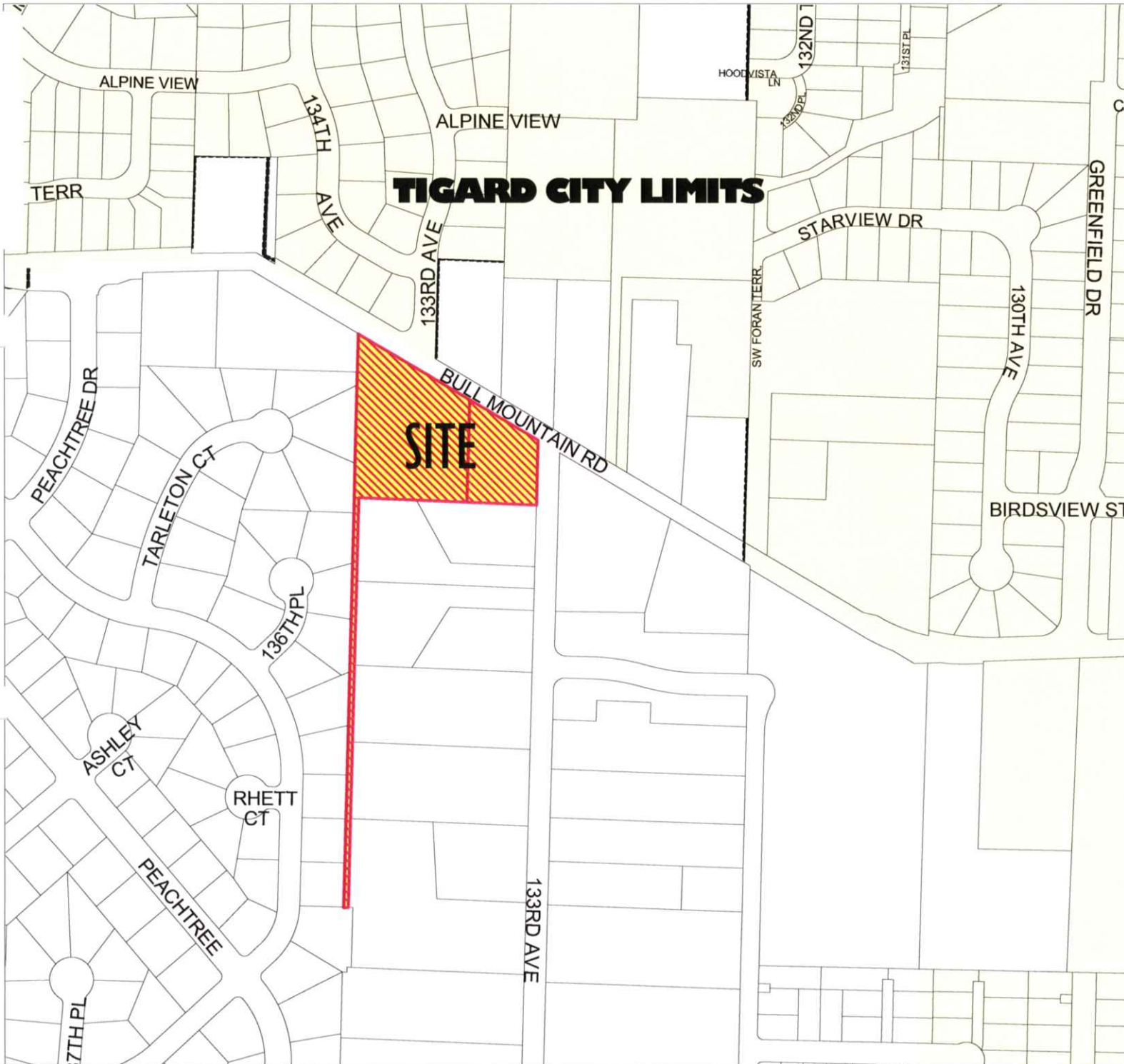


Assessment
CARTOGRAPHY
Taxation

PLOT DATE: November 30, 2004
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

TIGARD
2S 1 09AC



CITY of TIGARD
GEOGRAPHIC INFORMATION SYSTEM

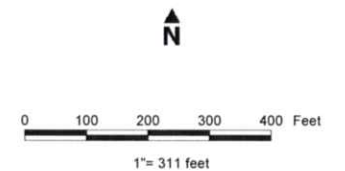
VICINITY MAP

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ZCA2005-00002

=====

WILSON RIDGE ANNEXATION



Information on this map is for general location only and should be verified with the Development Services Division.
13125 SW Hall Blvd
Tigard, OR 97223
(503) 639-4171
<http://www.ci.tigard.or.us>

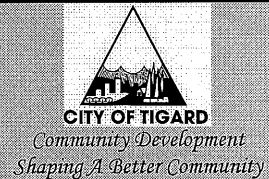
Agenda Item:

Hearing Date:

August 9, 2005

7:30 PM

**STAFF REPORT TO THE
CITY COUNCIL
FOR THE CITY OF TIGARD, OREGON**



SECTION I. APPLICATION SUMMARY

FILE NAME: ALBERTA RIDER/SUMMIT RIDGE ANNEXATION

CASE NO.: Zone Change Annexation (ZCA) ZCA2005-00003

OWNER(S): Various Owners

PROPOSAL: Annexation of 56 parcels containing approximately 20.75 acres into the City of Tigard.

CURRENT ZONING DESIGNATION: R-7, Medium Density Residential.

EQUIVALENT CITY ZONING DESIGNATION: R-7, Medium Density Residential. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

LOCATION: Alberta Rider School: WCTM 2S109AC, Tax Lot 2100 and 2S109AD, Tax Lot 1300; and Remaining Portions of Summit Ridge Subdivision: WCTM 2S109DA, Tax Lots 8500, 8600, 8700, 8800, 9400, 9500, 9600, 9700, 9800, 9900, 10000, 10100, 10200, 10300, 11500, 11600, 11700, 11800, 11900, 12000, 12100, 12200, 12300, 12400, 12500, 12600, 12700, 12800, 12900, 13000, 13400 and 13500, and WCTM 2S109DB, Tax Lots 1000, 1900, 2100, 2200, 2300, 2400, 2500, 2600, 2700, 2800, 2900, 3000, 3100, 3200, 3300, 3400, 3500, 3600, 3700, 3800, 3900 and 4000.

APPLICABLE REVIEW CRITERIA: Community Development Code Chapters 18.320 and 18.390; Comprehensive Plan Policies 2 and 10; Metro Code Chapter 3.09; and ORS Chapter 222.

SECTION II. STAFF RECOMMENDATION

Staff recommends that the Council find that the proposed annexation will not adversely affect the health, safety and welfare of the City. Therefore, staff recommends **APPROVAL** of the annexation by adoption of the attached ordinance.

SECTION III. BACKGROUND INFORMATION

Vicinity Information:

The subject parcels are located at the southeast corner of SW 133rd and Bull Mountain Road, and to the south in the Summit Ridge Subdivision, west of SW Greenfield, north of SW Beef Bend Road.

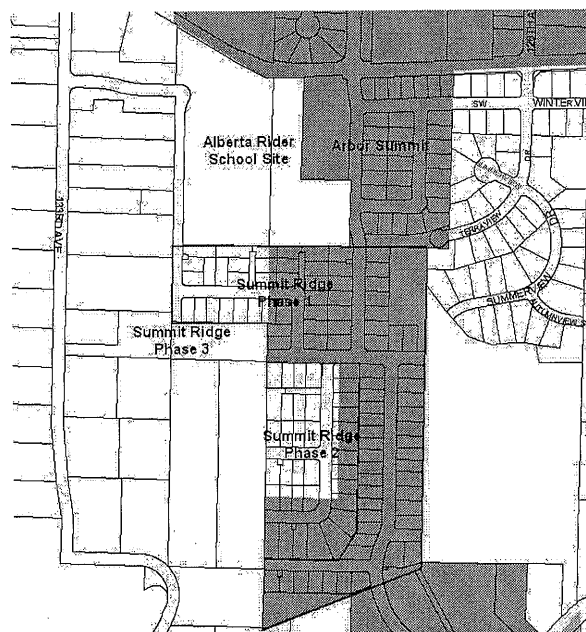
Site Information and Proposal Description:

There are essentially three areas involved in this particular annexation request: the Alberta Rider School site; the undeveloped portion (Phase 3) of Summit Ridge; and the remaining portions of Summit Ridge (Phase 1 and 2) that were not previously annexed last year. There are a total of 56 properties involved in this request totaling approximately 20.75 acres.

For the first area, the school site, as a condition of the Conditional Use approval, the applicant was required to annex the property prior to final building permit inspection. This was done to allow the school to proceed in a timely fashion on their construction schedule while going through the process to annex. The intention is that the annexation will be complete before the school needs to open, for if the annexation is not approved in time, final inspections can't be conducted and the school cannot be occupied.

The second area, Phase 3 of Summit Ridge, the subdivision was required to annex prior to recording the final plat for the lots. This is a standard condition that is applied to properties requesting development approval when bordering the city limits.

For the third area, Phases 1 and 2 of Summit Ridge, portions of this subdivision are inside and some are outside the city limits. During the review of Summit Ridge Phase 1 and 2, the property did not abut the city limits. The City required that the applicant sign a consent form for future annexation when the city limits did abut the site. During an annexation hearing to annex the Arbor Summit subdivision immediately north of Summit Ridge, the City included one of the parcels of Summit Ridge through a double majority method. The annexation occurred and was finalized before the plats for those phases were recorded. The result was that some of the lots that were created through those plats ended up straddling the city limit boundaries. See the following map.



SECTION IV. APPLICABLE REVIEW CRITERIA AND FINDINGS

The relevant criteria in this case are Tigard Comprehensive Plan Policies 2.1.1, 10.1.1, 10.1.2, and; Tigard Community Development Code Chapter 18.320.

Staff has determined that the proposal is consistent with the relevant policies of the Comprehensive Plan based on the following findings:

Comprehensive Plan

Policy 2.1.1: The City shall maintain an ongoing citizen involvement program and shall assure that citizens will be provided an opportunity to be involved in all phases of the planning process.

This Policy requires an ongoing citizen involvement program. Interested parties and surrounding property owners within 500 feet have been notified of the public hearing and notice of the hearing has been published in a newspaper of general circulation. The site has been posted since June 23, 2005. There have been a number of opportunities for citizens to be involved in the decision making process, including the review of the subdivision and conditional use request.

Policy 10.1.1: The City shall review each of the following services as to adequate capacity, or such services to be made available, to serve the parcel if developed to the most intense use allowed, and will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard. The services are: water, sewer, drainage, streets, police, and fire protection.

This policy requires adequate service capacity delivery to annexed parcels. The City of Tigard Police, Engineering and Water Departments, NW Natural Gas, Tualatin Valley Fire and Rescue, have all reviewed the annexation request and have offered no objections. In the review of the Alberta Rider School and Summit Ridge subdivision, staff found that the adjacent streets had adequate capacity with completion of required improvements, sewers will be extended up from Bella Vista subdivision on the south, through Summit Ridge and up through the Alberta Rider School site, storm drainage is conveyed through a new pipe from Bella Vista to the Alberta Rider project, and water is provided by an existing 12" water line in Bull Mountain Road. The subdivision approval is contingent on the applicant providing these services prior to recording the final plat. The conditional use approval also required completion of these utilities and facilities. This policy is satisfied.

If required by an adopted capital improvements program ordinance, the applicant shall sign and record with Washington County a nonremonstrance agreement regarding the following: The formation of a local improvement district (L.I.D.) for any of the following services that could be provided through such a district. The extension or improvement of the following: water, sewer, drainage and streets. The formation of a special district for any of the above services or the inclusion of the property into a special service district for any of the above services.

No L.I.D's have been required with the subject parcels or land use approvals. All public infrastructure listed above will have to be completed before the land is subdivided by a final subdivision plat or final inspection occurs on the school building. The costs of providing such services will be borne by the applicant. Since there are no capital improvements identified for this site, no nonremonstrance agreement is necessary.

The City shall provide urban services to areas within the Tigard urban planning area or with the urban growth boundary upon annexation.

The City of Tigard has an urban services agreement with Washington County for those areas within the City's urban growth boundary in the Bull Mountain area. This policy has been complied with.

Policy 10.1.2: approval of proposed annexations of land by the city shall be based on findings with respect to the following: the annexation eliminates an existing "pocket" or "island" of unincorporated territory; or the annexation will not create an irregular boundary that makes it difficult for the police in an emergency situation to determine whether the parcel is within or outside the city; the police department has commented upon the annexation; the land is located within the Tigard urban planning area and is contiguous to the city boundary; the annexation can be accommodated by the services listed in 10.1.1(a).

This Policy pertains to boundary criteria for annexations. The proposed annexation will not eliminate an existing "pocket" or "island" of unincorporated territory; however the annexation will also not create an irregular boundary making it difficult for police to determine whether a particular parcel is in or outside the city. In fact, this annexation is in part to address a situation where parcels fall both inside and outside the city limits. Specific jurisdiction for a number of services is clouded by the partial inclusion of these properties. Their formation is the result of disjointed annexation and plat approval timing. The subject annexation will eliminate this confusion and implement the original requirements placed on the subdivision regarding annexation of the property. The proposed annexation will incorporate the entire subdivision boundary for Phase 3 of Summit Ridge. In addition, the entire property where the Alberta Rider school site sits is also included in this request. Boundaries of this request follow logical extensions to the edge of the properties, except where the school abuts Bull Mountain Road. In that location the annexation will include the remaining portion of that road that is not presently in the city limits. The land is within the Urban Services Area inside the Urban Growth Boundary and is bordered by the city limits on the northern side. Services to the subject property are addressed above. This policy is met.

Community Development Code

Section 18.320.020: This Section addresses approval standards for annexation proposals:

All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;

Adequate service (water, sewer, drainage, streets, police, and fire protection) capacity is available to serve the annexed parcels. The City of Tigard Police, Engineering and Water Departments, NW Natural Gas, Tualatin Valley Fire and Rescue, have all reviewed the annexation request and have offered no objections. Additionally, the adequacy and availability of services to serve the intended R-7 Medium Density residential and institutional development has been reviewed and conditioned as necessary as part of the Summit Ridge subdivision and Alberta Rider reviews. Therefore, this policy is satisfied.

The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.

Applicable Comprehensive Plan policies have been addressed above. The implementing ordinance provisions of ORS 222, TCDC 18.390, and Metro Code 3.09 were followed in processing this annexation request. Conformance with other development code provisions have been addressed in the previous land use reviews. This standard has been met.

Assignment of comprehensive plan and zoning designations. The comprehensive plan designation and the zoning designation placed on the property shall be the City's zoning district which most closely implements the City's or County's comprehensive plan map designation. The assignment of these designations shall occur automatically and concurrently with the annexation. In the case of land which carries County designations, the City shall convert the County's comprehensive plan map and zoning designations to the City designations which are the most similar. A zone change is required if the applicant requests a comprehensive plan map and/or zoning map designation other than the existing designations. (See Chapter 18.380). A request for a zone change can be processed concurrently with an annexation application or after the annexation has been approved.

The subject properties are in the Urban Service Area and are zoned R-7 medium density residential, pursuant to the City of Tigard's Urban Services Intergovernmental Agreement . The R-7 zoning designation is consistent with the original Washington County's R-6 zoning designation as shown in the table below. The City's zoning was adopted by the County with the City's R-7 zoning district when the Intergovernmental Agreement was signed between the county and the city to provide city planning services to this area. Therefore, the property does not need to be rezoned upon annexation. According to Section 18.320.020.C, the City's Comprehensive plan and zoning designations occur automatically and concurrently with the annexation.

Conversion table. Table 320.1 summarizes the conversion of the County's plan and zoning designations to City designations which are most similar.

**TABLE 320.1
CONVERSION TABLE FOR COUNTY AND CITY PLAN AND ZONING DESIGNATIONS**

Washington County Land Use Districts/Plan Designation	City of Tigard Zoning	City of Tigard Plan Designation
R-5 Res. 5 units/acre	R-4.5 SFR 7,500 sq. ft.	Low density 1-5 units/acre
R-6 Res. 6 units/acre	R-7 SFR 5,000 sq. ft.	Med. density 6-12 units/acre
R-9 Res. 9 units/acre	R-12 Multi-family 12 units/acre	Med. density 6-12 units/acre
R-12 Res. 12 units/acre	R-12 Multi-family 12 units/acre	Med. density 6-12 units/acre
R-15 Res. 15 units/acre	R-25 Multi-family 25 units/acre	Medium-High density 13-25 units/acre
R-24 Res. 24 units/acres	R-25 Multi-family 25 units/acre	Medium-High density 13-25 units/acre
Office Commercial	C-P Commercial Professional	CP Commercial Professional
NC Neighborhood Commercial	CN Neighborhood Commercial	CN Neighborhood Commercial
CBD Commercial Business District	CBD Commercial Business District	CBD Commercial Business District
GC General Commercial	CG General Commercial	CG General Commercial
IND Industrial	I-L Light Industrial	Light Industrial■

Metro

Metro 3.09 requires the additional standards to be addressed in annexation decisions, in addition to the local and state review standards. These are addressed and satisfied as discussed below:

Consistency with the directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;

The processing has been done consistent with applicable Urban Service Provider agreements.

Consistency with directly applicable provisions of urban planning or other agreement, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;

The process required by the Development Code and Comprehensive Plan is consistent with the Urban Planning Agreement for annexations.

Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;

This has been discussed previously in this report and, as discussed, this criterion is satisfied.

Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plans;

Because the Development Code has been amended to comply with applicable Metro functional plan requirements, by complying with the Development Code and Comprehensive Plan, the annexation is consistent with the applicable Functional Plan and the Regional Framework plan.

Whether the proposed changes will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;

The proposed annexation will not interfere with the provision of public facilities or services because it is adjacent to existing city limits and services, and the delivery of those services was anticipated as part of the urban services agreement which is intended to promote the timely, orderly, and economic delivery of those public facilities and services.

If the proposed boundary change is for annexation of territory to Metro, a determination by Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criterion for approval;

The subject property is already within the Metro boundaries.


Consistency with other applicable criteria for the boundary change in question under state and local law.

Consistency with other applicable criteria has been discussed previously in this report.

SECTION V. AGENCY COMMENTS

Washington County Department Of Land Use & Transportation, Verizon, Qwest Communications, Northwest Natural Gas, Beaverton School District #48, Comcast Cable Corporation, Portland General Electric, Metro Area Communications, Cleanwater Services, Metro Land Use & Planning, Tualatin Hills Park & Rec. District, Tualatin Valley Water District, Tualatin Valley Fire & Rescue, and Tigard/Tualatin School District 23J have had the opportunity to review the proposal and have offered no objections.

BASED ON THE FINDINGS INDICATED ABOVE, PLANNING STAFF RECOMMENDS APPROVAL OF ZONE CHANGE ANNEXATION (ZCA) 2005-00003 - ALBERTA RIDER/SUMMIT RIDGE ANNEXATION.


PREPARED BY: Morgan Tracy
Associate Planner

July 28, 2005
DATE



07/28/05

CITY OF TIGARD, OREGON

ORDINANCE NO. 2005-_____

AN ORDINANCE ANNEXING 20.75 ACRES, APPROVING ALBERTA RIDER ELEMENTARY SCHOOL/SUMMIT RIDGE ANNEXATION (ZCA2005-00003), AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT.

WHEREAS, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed; and

WHEREAS, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation; and

WHEREAS, the Tigard City Council held a public hearing on August 9, 2005 to consider the annexation of 38 parcels and portions of 18 additional parcels of land consisting of a total of 20.75 acres and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

WHEREAS, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

WHEREAS, pursuant to Metro 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on the issue of the annexation into the City and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District on December 14, 2004; and

WHEREAS, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District by Ordinance; and

WHEREAS, the Tigard Development Code states that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning; and

WHEREAS, the current zoning district is R-7, an existing City zone that has been adopted by the County and the zoning after annexation would remain R-7 so that no zone change is necessary, and by annexation the Comprehensive Plan of the City of Tigard goes into effect; and

WHEREAS, the annexation has been processed in accordance with the requirements of Metro 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro 3.09 regulating annexations; and

WHEREAS, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard City Council hereby annexes the parcels described in the attached **Exhibit "A"** and shown in **Exhibit "B"** and withdraws said parcels from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor and posting by the City Recorder.

SECTION 3: City staff is directed to take all necessary measures to implement the annexation, including filing certified copies of the Ordinance with Metro for administrative processing, filing with state and county agencies as required by law, and providing notice to utilities.

SECTION 4: Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District shall be the effective date of this annexation.

SECTION 5: Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2006.

SECTION 6: In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, 2005.

Cathy Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2005.

Craig Dirksen, Mayor

Approved as to form:

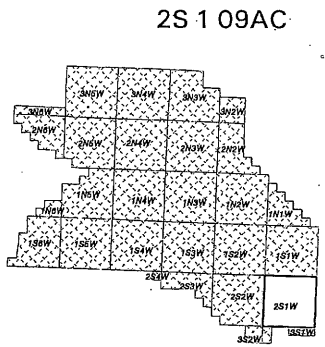
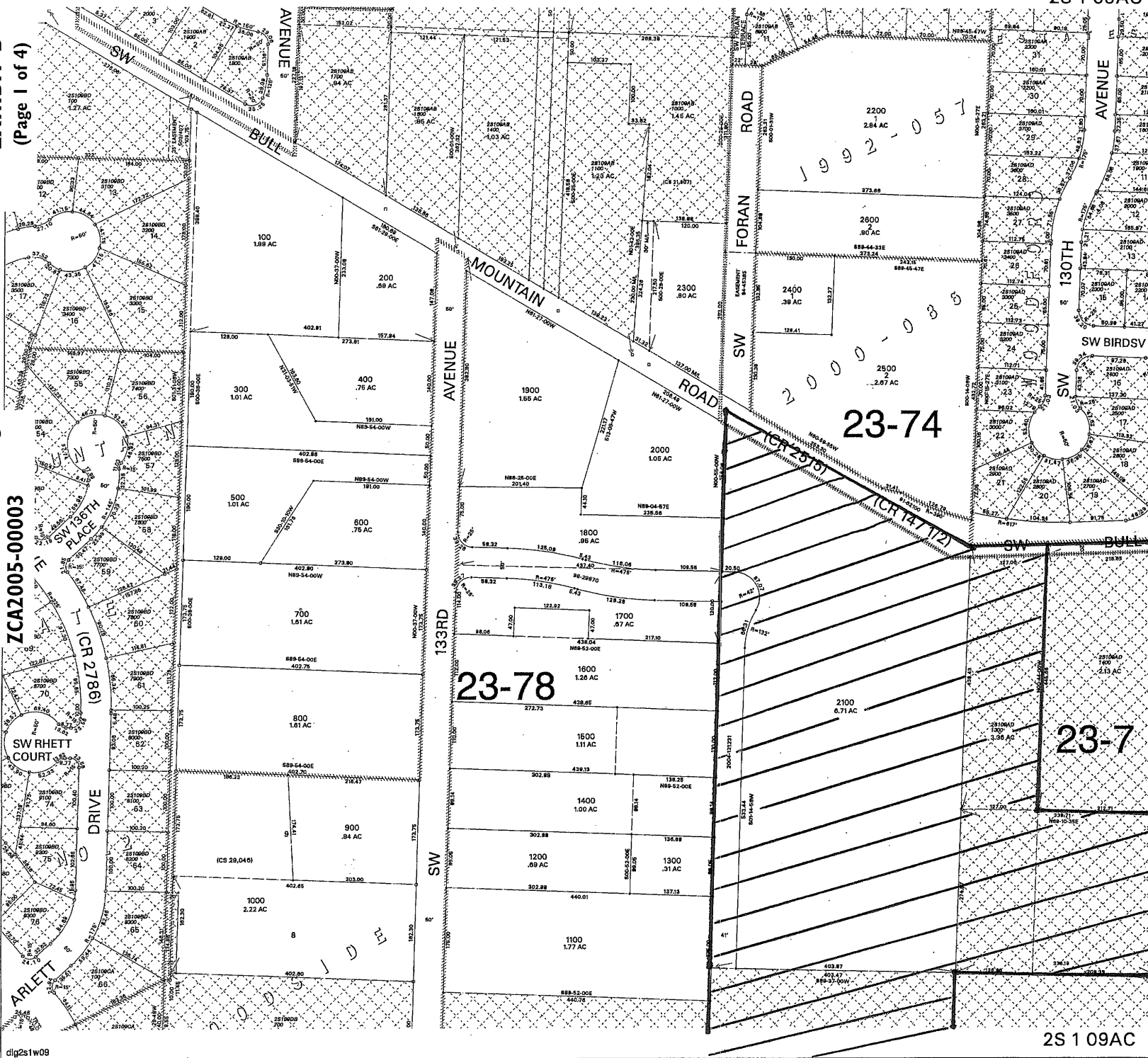
City Attorney

Date

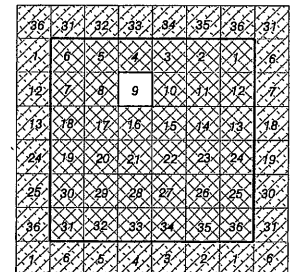
Alberta Rider/Summit Ridge
ZCA2005-00003

A tract of land situated in the Section 9, Township 2 South Range 1 West Willamette Meridian described as follows:

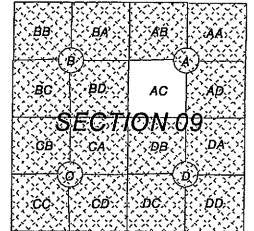
Commencing at a point northwest corner of lot 7 Arlington Heights; thence N 01° 57' 48" E a distance of 18.04 feet; thence S 88° 04' 30" W a distance of 625.20 feet to **The True point of Beginning** of the Annexation; thence S 01° 56' 56" W a distance of 426.22 feet; thence S 88° 56' 17" E a distance of 212.83 feet; thence S 02° 00' 00" W a distance of 274.61 feet; thence N 88° 49' 24" W a distance of 336.20 feet; thence S 01° 15' 49" W a distance of 475.68 feet; thence S 87° 59' 46" E a distance of 303.50 feet; thence S 01° 15' 46" W a distance of 561.57 feet; thence N 87° 59' 46" W a distance of 303.50 feet; thence N 01° 15' 46" E a distance of 561.57; thence N 87° 59' 46" W a distance of 846 feet to the easterly right-of-way of SW 133rd Ave; thence N 01° 33' 29" E, along said right-of-way, a distance of 50.00 feet; thence S 87° 59' 46" E a distance of 221.31 feet; thence N 01° 21' 36" E a distance of 140.04 feet; thence S 87° 58' 20" E a distance of 220.90 feet; thence N 01° 15' 49" E a distance of 1185.00 feet to the southerly right-of-way of SW Bull Mountain Road; thence S 59° 18' 32" E, along said right-of-way, a distance of 433.01 feet; thence N 88° 04' 30" E, along said right-of-way, a distance of 158.32 feet to the point of beginning.



WASHINGTON COUNTY OREGON
SW 1/4 NE 1/4 SECTION 09 T2S R1W W.M.
SCALE 1" = 100'



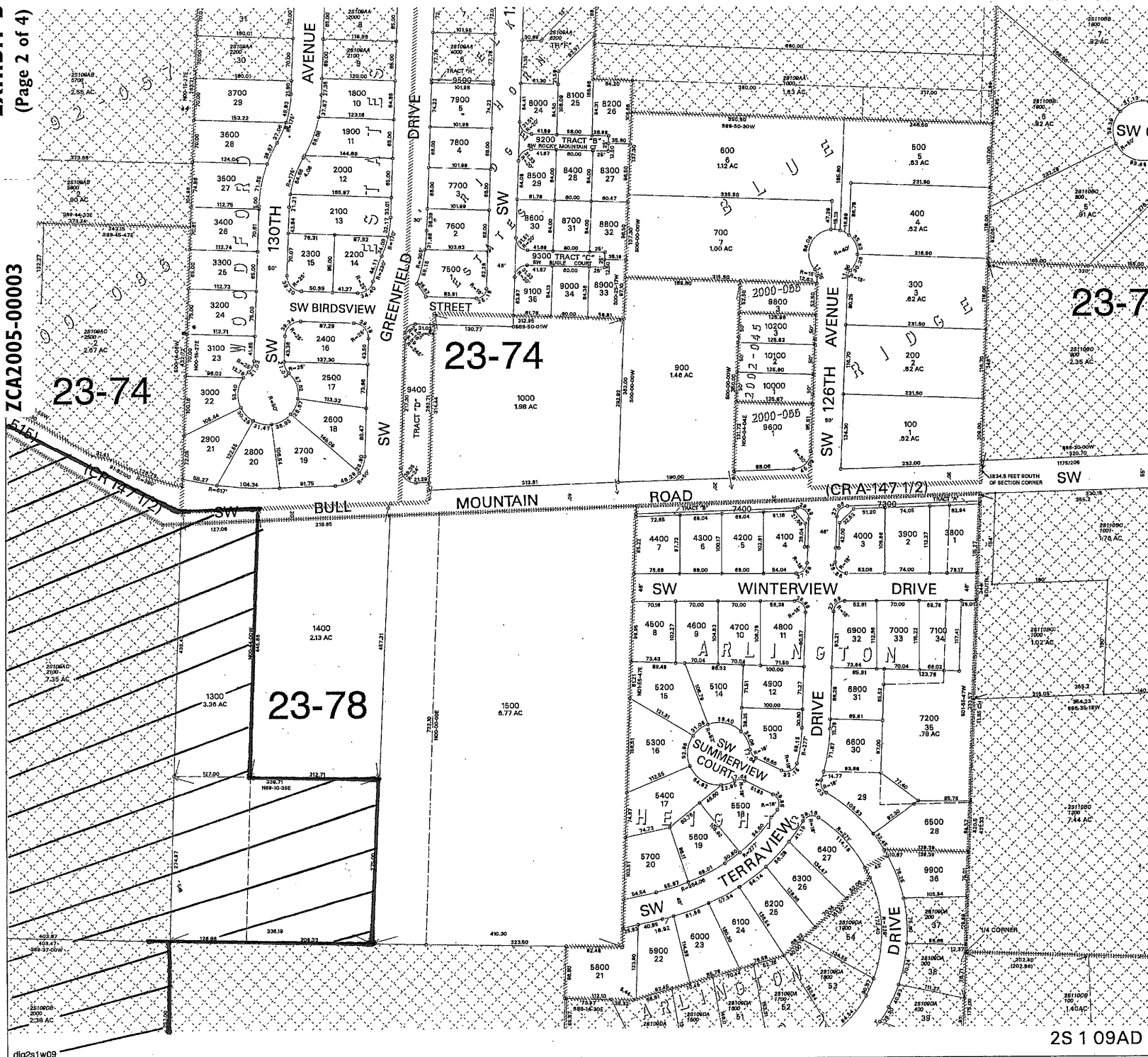
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www.co.washington.or.us



PLOT DATE: November 30, 2004
FOR ASSESSMENT PURPOSES
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FOR OTHER USE

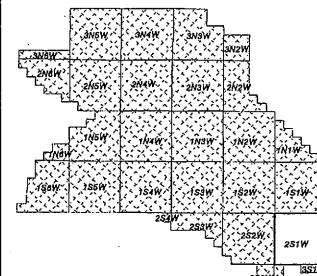
Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

TIGARD
2S 1 09AC

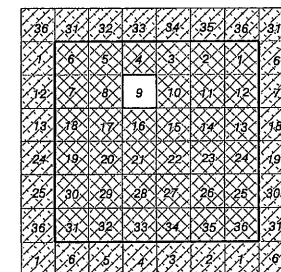


2S 1 09AD

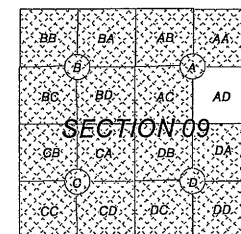
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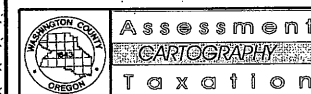
WASHINGTON COUNTY OREGON
SE1/4 NE1/4 SECTION 09 T2S R1W W.M.
SCALE 1" = 100'



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Cancelled Taxlots For: 2S109AD
1200, 1201, 1600, 1700, 6501, 6700, 6501, 3801, 1100, 7101,
600, 7201, 6700,

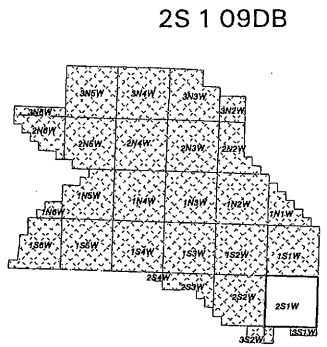
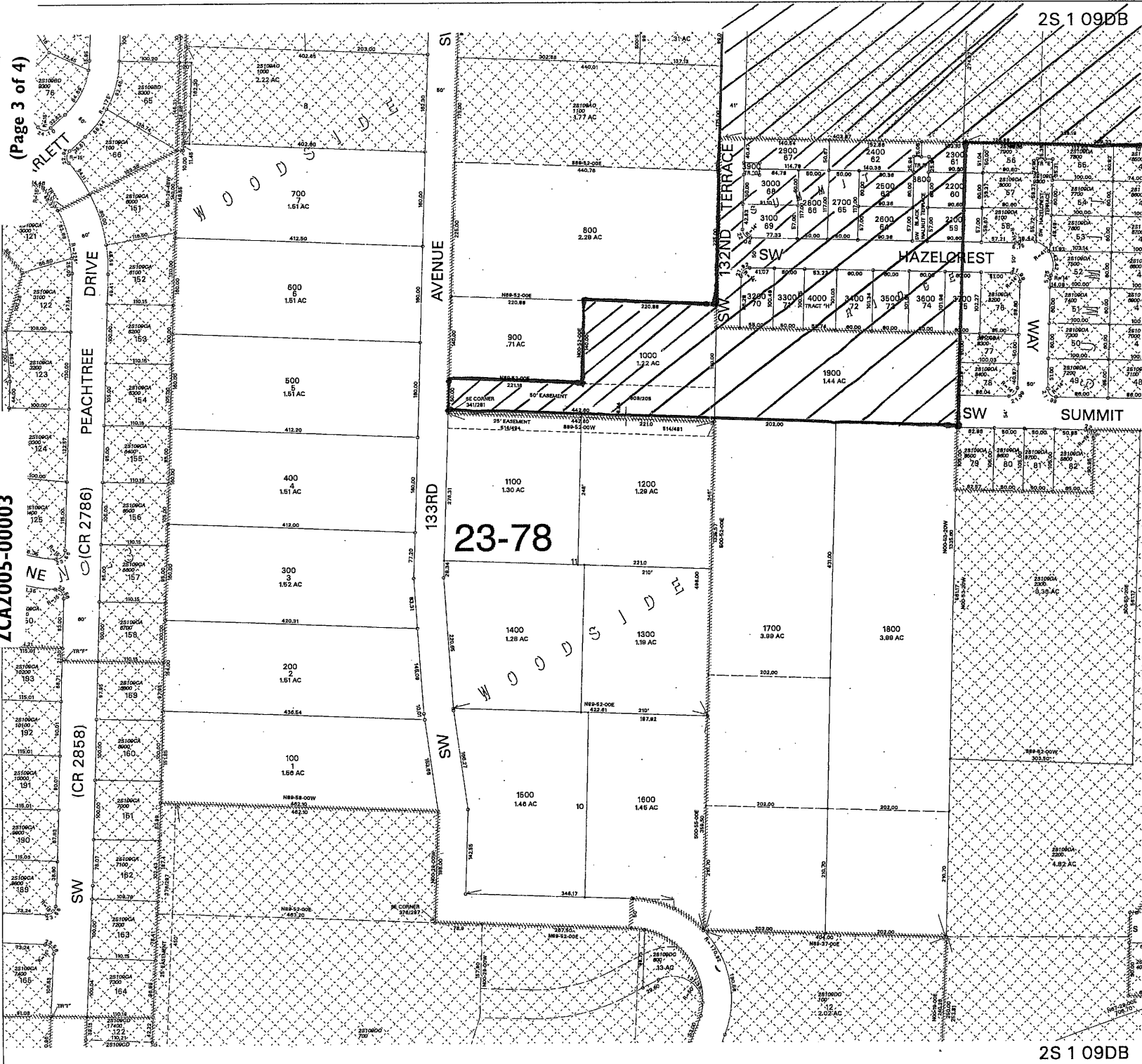


PLOT DATE: July 09, 2002
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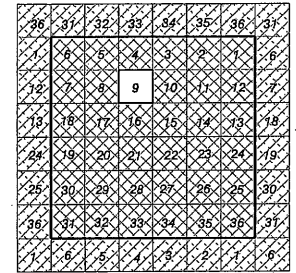
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2S 1 09AD

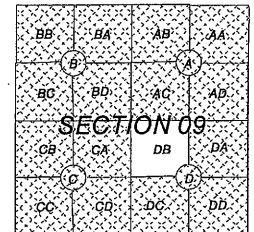
TIGARD
2S 1 09AD



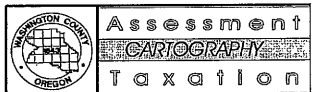
WASHINGTON COUNTY OREGON
NW 1/4 SE 1/4 SECTION 09 T2S R1W W.M.
SCALE 1" = 100'



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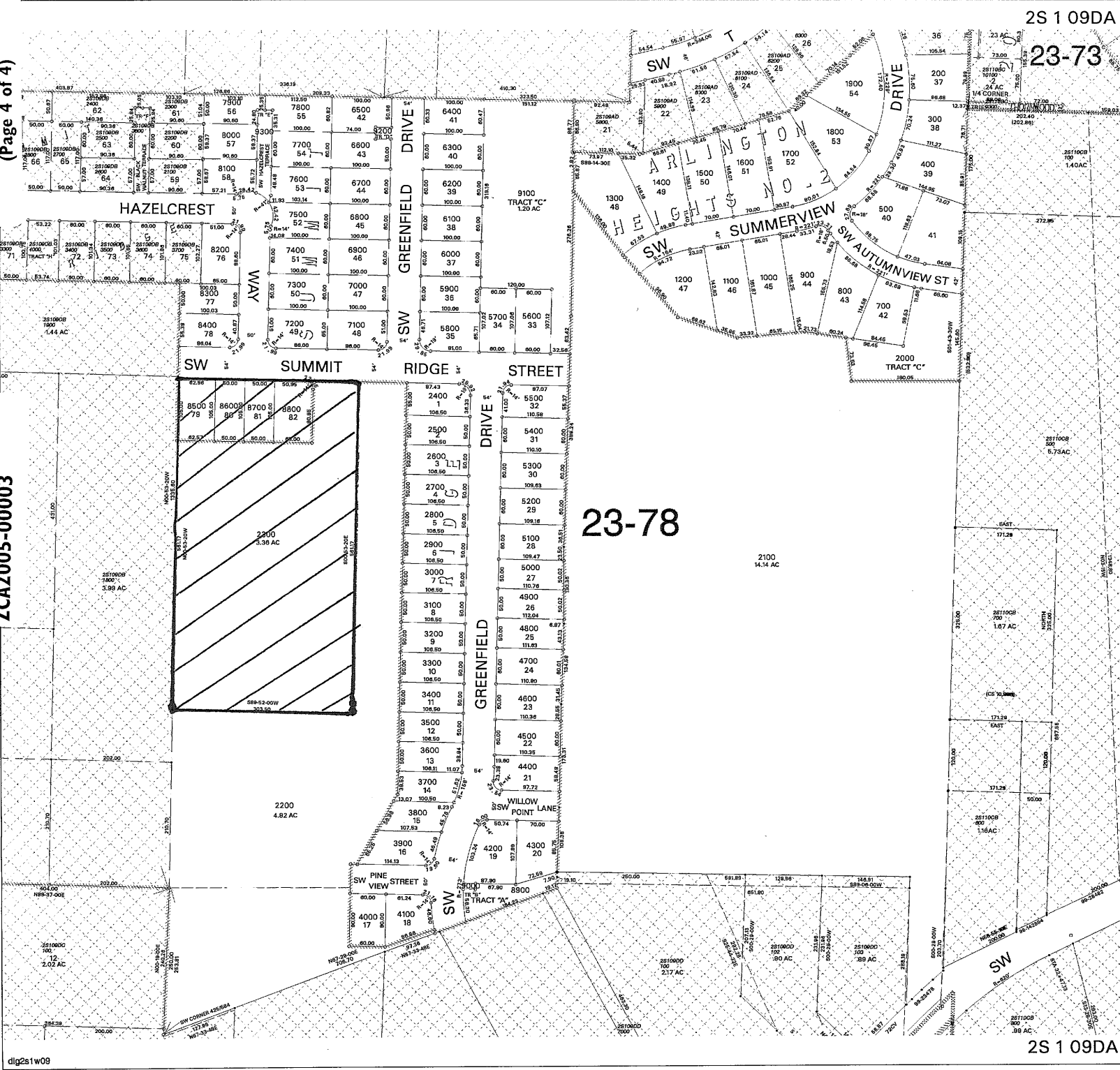


Cancelled Taxlots For: 2S109DB
2000,



PLOT DATE: January 13, 2005
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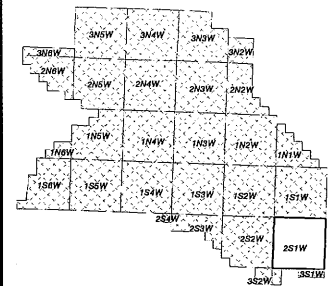
2S 1 09DA

23-73

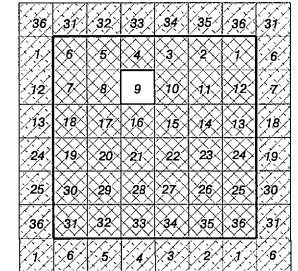
23-78

2S 1 09DA

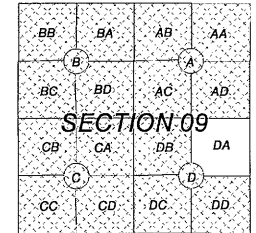
2S 1 09DA



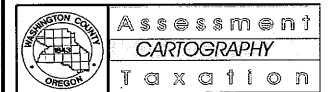
WASHINGTON COUNTY OREGON
NE 1/4 SE 1/4 SECTION 09 T2S R1W W.M.
SCALE 1" = 100'



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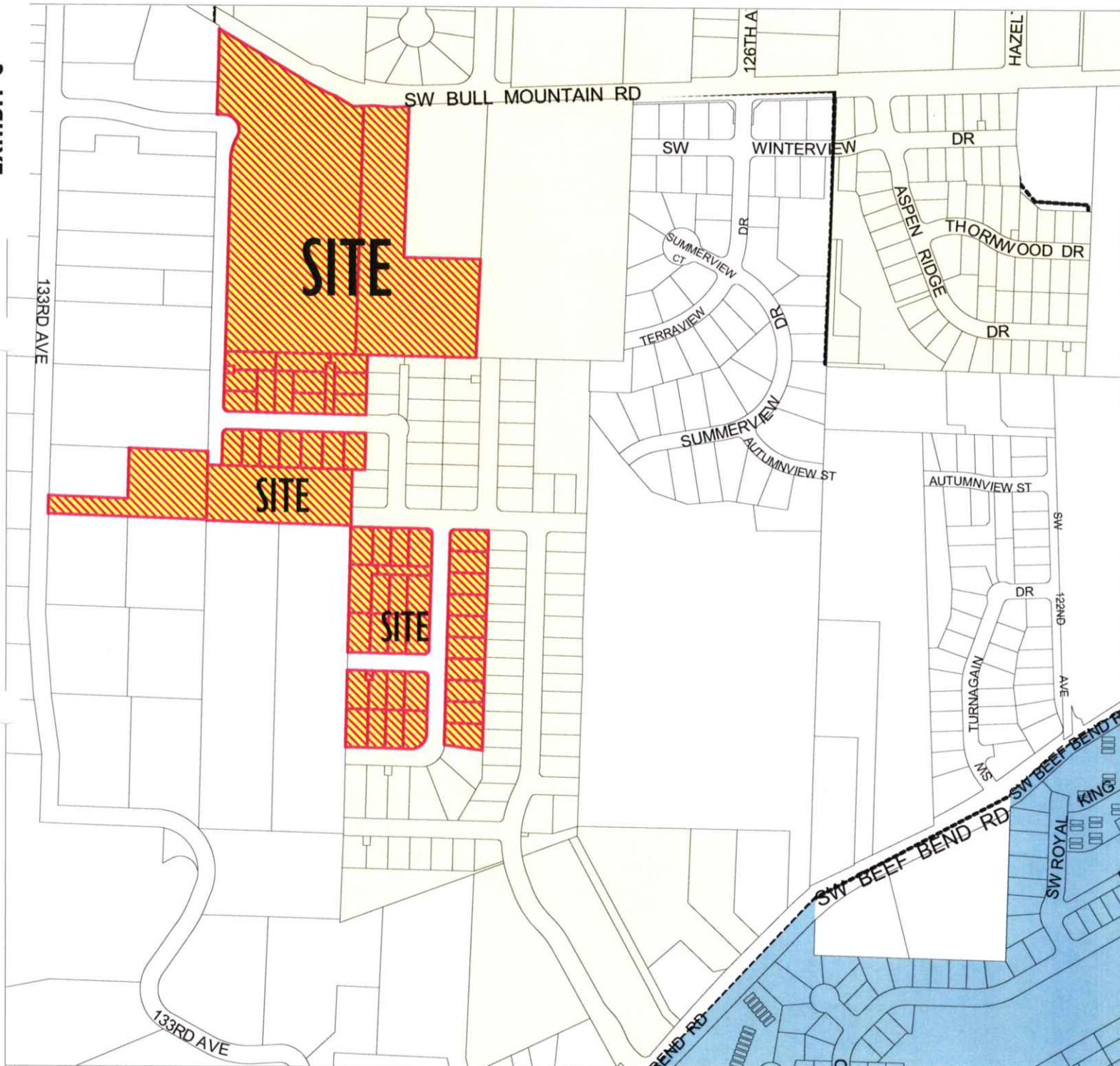
Cancelled Taxlots For: 2S109DA
600,100,



PLOT DATE: January 20, 2005
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2S 1 09DA



CITY of TIGARD

GEOGRAPHIC INFORMATION SYSTEM

VICINITY MAP

ZCA2005-00003

ALBERTA RIDER SCHOOL/
SUMMIT RIDGE SUB.
ANNEXATION



Tigard Area Map



0 100 200 300 400 500 Feet

1"= 382 feet



City of Tigard

Information on this map is for general location only and should be verified with the Development Services Division.
13125 SW Hall Blvd
Tigard, OR 97223
(503) 639-4171
<http://www.ci.tigard.or.us>